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THE

L I F E

OF

M. TULLIUS CICERO,

BY

CONYERS MIDDLETON, D.D.

Hunc igitur spectemus. Hoc propositum sit nobis exemplum. Ille se profecisse sciat,  
cui Cicero valde placebit.—QUINTIL. INSTR. l. x. l.

NEW EDITION, REVISED.

LONDON:

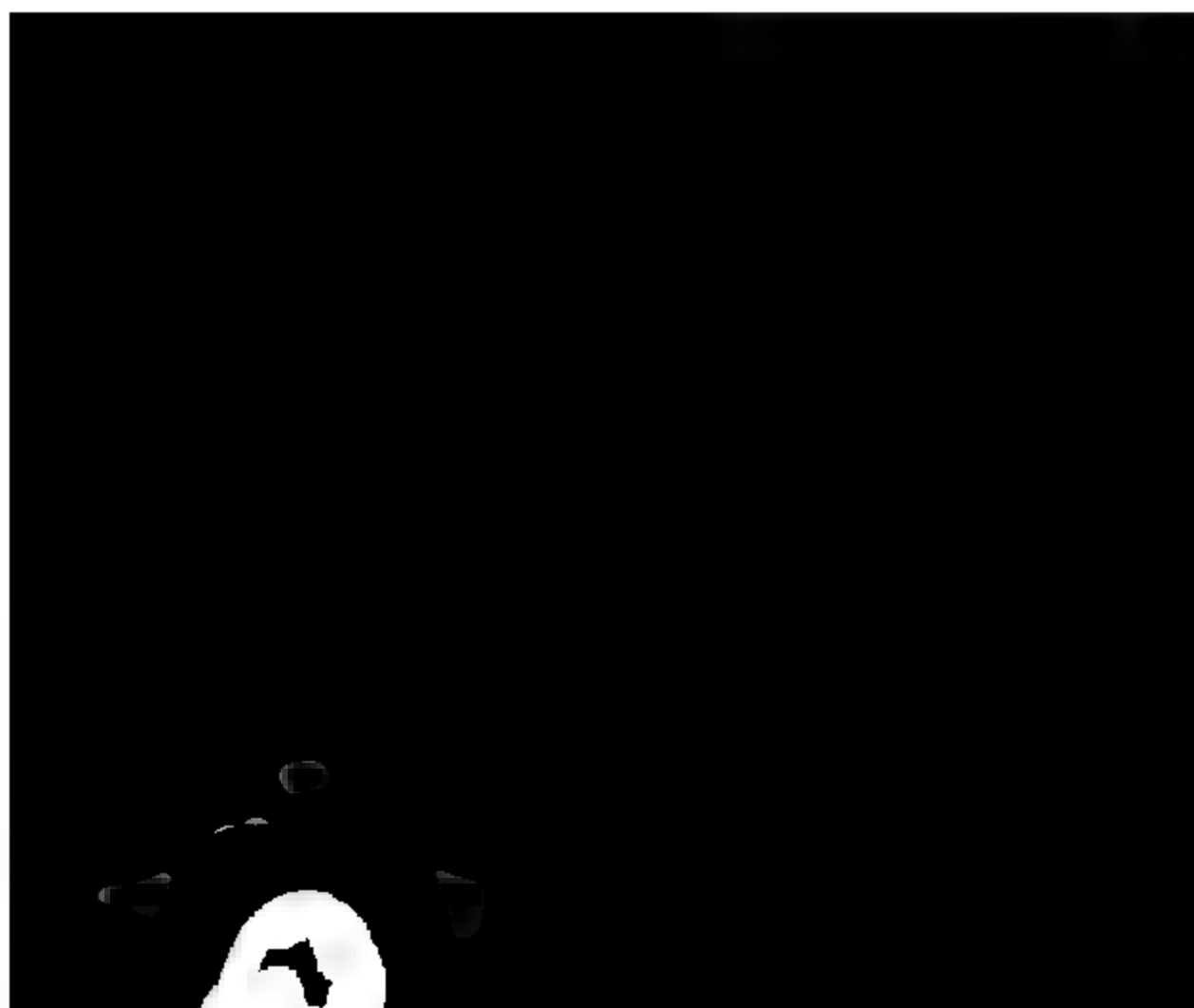
PRINTED FOR LONGMAN, ORME, & CO.; J. O. & F. RIVINGTON; E. WILLIAMS;  
HAMILTON, ADAMS, & CO.; WHITTAKER & CO.; SIMPKIN, MARSHALL, & CO.;  
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SONS, YORK.

1837.

LC 401492



LONDON:  
GILBERT AND RIVINGTON, PRINTERS,  
ST. JOHN'S SQUARE.



TO THE

**RIGHT HON. JOHN LORD HERVEY,**

LORD KEEPER OF HIS MAJESTY'S PRIVY SEAL.

MY LORD,

THE public will naturally expect, that in choosing a patron for the **LIFE OF CICERO**, I should address myself to some person of illustrious rank, distinguished by his parts and eloquence, and bearing a principal share in the great affairs of the nation; who, according to the usual style of dedications, might be the proper subject of a comparison with the hero of my piece. Your Lordship's name will confirm that expectation, and your character will justify me in running some length into the parallel; but my experience of your good sense forbids me the attempt. For your Lordship knows what a disadvantage it would be to any character to be placed in the same light with that of Cicero; that all such comparisons must be invidious and adulatory; and that the following history will suggest a reason, in every page, why no man now living can justly be compared with him.

I do not impute this to any superiority of parts or genius peculiar to the ancients; for human nature has ever been the same in all ages and nations, and owes the difference of its improvements to a difference only of culture, and of the rewards proposed to its industry: where these are the most amply provided, there we shall always find the most numerous and shining examples of human perfection. In old Rome, the public honours were laid open to the virtue of every citizen; which, by raising them in their turns to the command of that mighty empire, produced a race of nobles superior even to kings. This was a prospect that filled the soul of the ambi-

tious, and roused every faculty of mind and body, to exert its utmost force: whereas, in modern states, men's views being usually confined to narrow bounds, beyond which they cannot pass, and a partial culture of their talents being sufficient to procure every thing that their ambition can aspire to, a great genius has seldom either room or invitation to stretch itself to its full size.

You see, my Lord, how much I trust to your good nature as well as good sense, when in an epistle dedicatory, the proper place of panegyric, I am depreciating your abilities instead of extolling them; but I remember, that it is an history which I am offering to your Lordship, and it would ill become me, in the front of such a work, to expose my veracity to any hazard: and my head indeed is now so full of antiquity, that I could wish to see the dedicatory style reduced to that classical simplicity, with which the ancient writers used to present their books to their friends or patrons, whose desire they were written, or by whose authority they were published: for this was the first use and the sole purpose of a dedication; and as this also is the real ground of my present address to your Lordship, so it will be the best argument of my epistle, and the most agreeable to the character of an historian, to acquaint the public with a plain fact, that it was your Lordship who first advised me to undertake the **LIFE OF CICERO**; and when, from a diffidence of my strength and a nearer view of the task, I began to think myself unequal to the weight of it, your Lordship still urged and exhorted me to persist, till I had moulded it into the form in

leisure, not in vicious pleasures, or trifling diversions, contrived, as we truly call it, to kill the time; but in conversing with the celebrated wits and scholars of the age; in encouraging other people's learning, and improving their own: and here your Lordship imitates them with success, and for love of letters and politeness, may be compared with the noblest of them. For your house, like theirs, is open to men of parts and merit; where I have admired your Lordship's agreeable manner of treating them all in their own way, by introducing questions of literature, and varying them so artfully, as to give every one an opportunity, not only of bearing a part, but of leading the conversation in his turn. In these liberal exercises you drop the cares of the statesman; relieve your fatigues in the senate; and strengthen your mind, while you relax it.

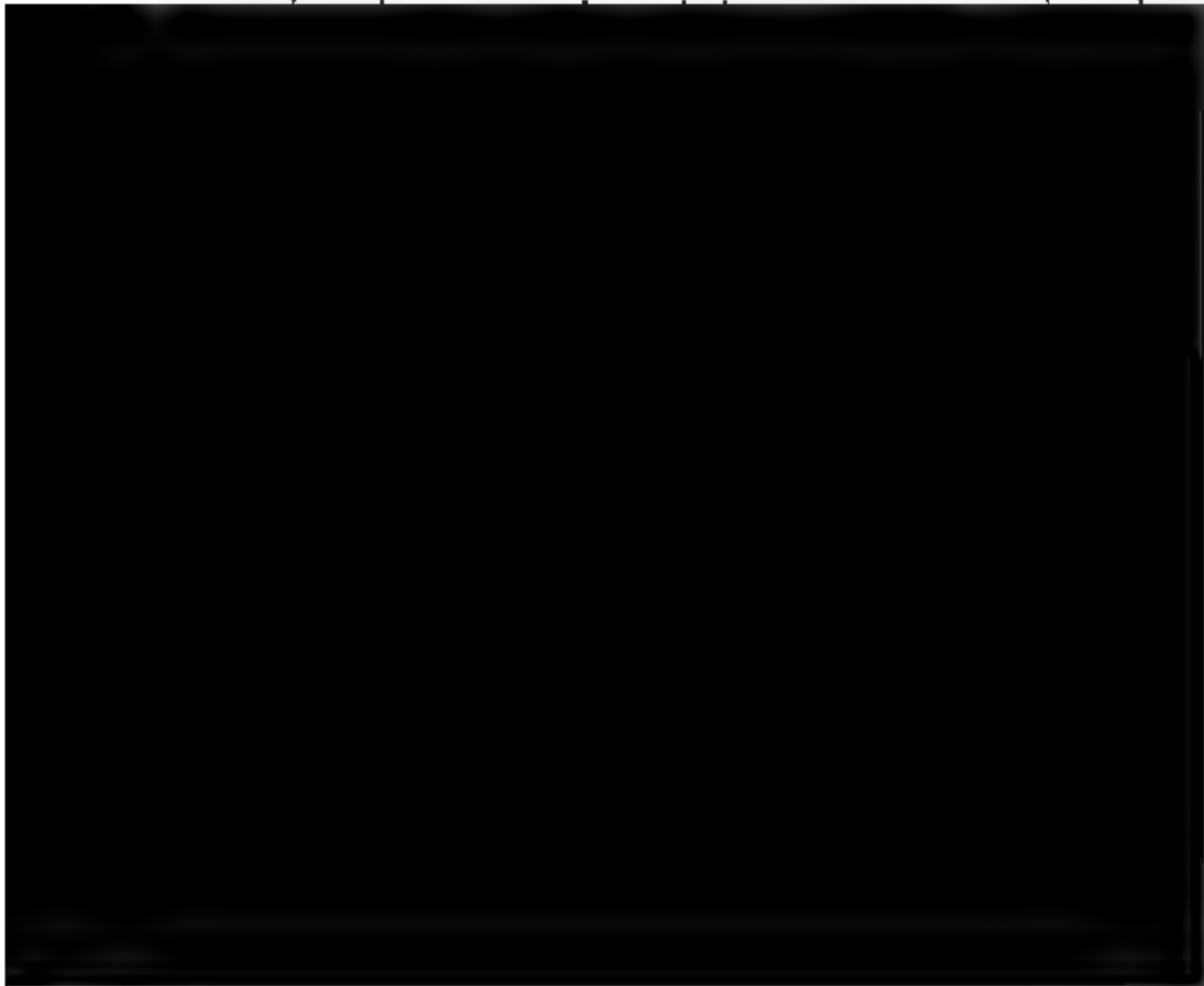
Encomiums of this kind, upon persons of your Lordship's quality, commonly pass for words of course, or a fashionable language to the great, and make little impression on men of sense, who know learning not to be the fruit of wit or parts, for there your Lordship's title would be unquestionable, but an acquisition of much labour and study, which the nobles of our days are apt to look upon, as inconsistent with the ease and splendour of an elevated fortune, and generally leave to men of professions and inferior life. But your Lordship has a different way of thinking, and by your education in a public school and university, has learned from your earliest youth, that no fortune can exempt a man from pains, who desires to distinguish himself from the vulgar; and that it is a folly, in any condition of life, to aspire to a superior character, without a superior virtue and industry to support it. What time, therefore, others bestow upon their sports or pleasures, or the lazy indolence of a luxurious life, your Lordship applies to the improvement of your knowledge; and in those early hours, when all around you are hushed in sleep, seize the opportunity of that quiet, as the most favourable season of study, and frequently spend an useful day, before others begin to enjoy it.

I am saying no more, my Lord, than what I know, from my constant admission to your Lordship in my morning visits, before good manners would permit me to attempt a visit any where else; where I have found you commonly engaged with the classical writers of Greece or Rome; and conversing with those very dead, with whom Scipio and Lælius used to converse so familiarly when living. Nor does your Lordship assume this part for ostentation or amusement only, but for the real benefit both of yourself and others; for I have seen the solid effects of your reading in your judicious reflections on the

policy of those ancient governments, and have felt your weight even in controversy, on some of the most delicate parts of their history.

There is another circumstance peculiar to your Lordship which makes this task of study the easier to you, by giving you not only the greater health, but the greater leisure to pursue it; I mean that singular temperance in diet, in which your Lordship perseveres, with a constancy superior to every temptation, that can excite an appetite to rebel; and shews a firmness of mind, that subjects every gratification of sense to the rule of right reason. Thus, with all the accomplishments of the nobleman, you lead the life of a philosopher; and while you shine a principal ornament of the court, you practise the discipline of the college.

In old Rome there were no hereditary honours; but when the virtue of the family was extinct, its honour was extinguished too; so that no man, how nobly soever born, could arrive at any dignity, who did not win it by his personal merit: and here again your Lordship seems to have emulated that ancient spirit; for, though born to the first honours of your country, yet, disclaiming, as it were, your birth-right, and putting yourself upon the footing of a Roman, you were not content with inheriting, but resolved to import new dignities into your family; and, after the example of your noble father, to open your own way into the supreme council of the kingdom. In this august assembly, your Lordship displays those shining talents, by which you acquired a seat in it, in the defence of our excellent establishment; in maintaining the rights of the people,



inflamed by opposition, are apt to charge each other with designs, which were never dreamt of perhaps by either side, yet, if there be any who know so little of you, as to distrust your principles, they may depend at least on your judgment, that it can never suffer a person of your Lordship's rank, born to so large a share of the property, as well as the honours of the nation, to think any private interest an equivalent, for consenting to the ruin of the public.

I mention this, my Lord, as an additional reason for presenting you with the Life of Cicero : for were I not persuaded of your Lordship's sincere love of liberty, and zeal for the happiness of your fellow-citizens, it would be a reproach to you, to put into your hands the Life of a man, who, in all the variety of his admirable talents, does not shine so glorious in any, as in his constant attachment to the true interests of his country, and the noble struggle that he sustained at the expense even of his life, to avert the impending tyranny that finally oppressed it.

But I ought to ask your Lordship's pardon for dwelling so long upon a character, which is known to the whole kingdom, as well as to myself, not only by the high office which you fill, and the eminent dignity that you bear in it, but by the sprightly compositions of various kinds, with which your Lordship has often entertained it. It would be a presumption to think of adding any honour to your Lordship, by my pen, after you have acquired so much by your own. The chief design of my epistle is, to give this public testimony of my thanks, for the signal marks of friendship, with which your Lordship has long honoured me ; and to interest your name, as far as I can, in the fate and success of my work ; by letting the world know, what a share you had in the production of it ; that it owed its being to your encouragement ; correctness to your pencil ; and what many will think the most substantial benefit, its large subscription to your authority. For, though in this way of publishing it, I have had the pleasure to find myself supported by a noble list of generous friends, who, without being solicited, or being asked by me, have promoted my subscription with an uncommon zeal, yet your Lordship has distinguished yourself the most eminently of them, in contributing not only to the number, but the splendour, of the names that adorn it.

Next to that little reputation, with which the public have been pleased to favour me, the benefit of this subscription is the chief fruit that I have ever reaped from my studies. I am indebted for the first, to Cicero ; for the second, to your Lordship. It was Cicero who instructed me to write ; your Lordship who rewards me for writing : the same motive, therefore,

which induced me to attempt the history of the one, engages me to dedicate it to the other, that I may express my gratitude to you both, in the most effectual manner that I am able, by celebrating the memory of the dead, and acknowledging the generosity of my living benefactor.

I have received great civilities, on several occasions, from many noble persons, of which I shall ever retain a most grateful sense; but your Lordship's accumulated favours have long ago risen up to the character of obligations, and made it my perpetual duty, as it had always been my ambition, to prove myself, with the greatest truth and respect,

My Lord,

Your Lordship's most obliged,

And devoted servant,

CONYERS MIDDLETON

to what is advanced, than the fragments quoted in the margin, and the brevity of notes would admit.

But whatever prejudices may be suspected to adhere to the writer, it is certain, that, in a work of this nature, he will have many more to combat in the reader. The scene of it is laid in a place and age, which are familiar to us from our childhood : we learn the names of all the chief actors at school, and choose our several favourites according to our tempers or fancies : and, when we are less able to judge of the merit of them, form distinct characters of each which we frequently retain through life. Thus Marius, Sylla, Cæsar, Pompey, Cato, Cicero, Brutus, Antony, have all their several advocates, zealous for their fame, and ready even to quarrel for the superiority of their virtues. But, among the celebrated names of antiquity, those of the great conquerors and generals attract our admiration always the most, and imprint a notion of magnanimity and power, and capacity for dominion, superior to that of other mortals : we look upon such, as destined by Heaven for empire, and born to trample upon their fellow-creatures, without reflecting on the numerous evils, which are necessary to the acquisition of a glory that is built upon the subversion of nations, and the destruction of the human species. Yet these are the only persons who are thought to shine in history, or to merit the attention of the reader dazzled with the splendour of their victories, and the pomp of their triumphs, we consider them as the pride and ornament of the Roman name ; while the pacific and civil character, though of all others the most beneficial to mankind, whose sole ambition is to support the laws, the rights and liberty of its citizens, is looked upon as humble and contemptible on the comparison, for being forced to truckle to the power of these oppressors of their country.

In the following history, therefore, if I have happened to affirm any thing that contradicts the common opinion, and shocks the pre-

acquainted with it, than the generality of his readers ; and when he asserts a fact, that does not seem to be well grounded, it may fairly be imputed, till a good reason appears to the contrary, to a more extensive view of his subject ; which, by making it clear to himself, is apt to persuade him that it is equally clear to every body else ; and that a fuller explication of it would consequently be unnecessary. If these considerations, which are certainly reasonable, have but their proper influence, I flatter myself, that there will be no just cause, to accuse me of any culpable bias, in my accounts of things or persons, or of any other favour to the particular character of Cicero, than what common humanity will naturally bestow upon every character, that is found, upon the whole, to be both great and good.

In drawing the characters of a number of persons, who all lived in the same city, at the same time ; trained by the same discipline, and engaged in the same pursuits ; as there must be many similar strokes, and a general resemblance in them all, so the chief difficulty will be, to prevent them from running into too great an uniformity. This I have endeavoured to do, not by forming ideal pictures, or such as would please or surprise : but by attending to the particular facts, which history has delivered of the men, and tracing them to their source, or to those correspondent affections, from which they derived their birth : for these are the distinguishing features of the several persons ; which, when duly represented, and placed in their proper light, will not fail to exhibit that precise difference, in which the peculiarity of each character consists.

As to the nature of my work, though the title of it carries nothing more than the *History of Cicero's Life*, yet it might properly enough be called, the *History of Cicero's Times* : since, from his first advancement to the public magistracies, there was not any thing of moment transacted in the state, in which he did not bear an eminent part, so that, to make the whole work of a piece, I have given a summary account of the Roman affairs (during the time even of his minority) ; and, agreeably to what I promised in my proposals, have carried on a series of history, through *a period of above sixty years*, which, for the importance of the events, and the dignity of the persons concerned in them, is by far the most interesting of any in the annals of Rome.

In the execution of this design, I have pursued, as closely as I could, that very plan which Cicero himself had sketched out, for the model of a complete history ; where he lays it down as a fundamental law, that the writer should not dare to affirm what was false, or to suppress what was true ; nor give any suspicion either of favour or disaffection :—that, in the relation of facts, he should observe the order of time, and sometimes add the description of places ; should first explain the councils ; then the acts, and lastly, the events of things ; that, in the councils, he should interpose his own judgment on the merit of them ; in the acts, relate not only what was done, but how it was done ; in the events, shew what share chance, or rashness, or prudence had in them : that he

should describe, likewise, the particular characters of all the great persons, who bear any considerable part in the story ; and should dress up the whole in a clear and equable style, without affecting any ornament, or seeking any other praise but of perspicuity. These were the rules that Cicero had drawn up for himself, when he was meditating a general history of his country, as I have taken occasion to mention more at large in its proper place.

But as I have borrowed my plan, so I have drawn my materials also, from Cicero, whose works are the most authentic monuments that remain to us, of all the great transactions of that age ; being the original accounts of one, who himself was not only a spectator, but a principal actor in them. There is not a single part of his writings, which does not give some light, as well into his own history, as into that of the Republic : but his *familiar letters*, and above all, those to *Atticus*, may justly be called *the memoirs of the times* ; for they contain not only a distinct account of every memorable event, but lay open the springs and motives whence each of them proceeded ; so that, as a polite writer, that lived in that very age, and perfectly knew the merit of these letters, says *the man who reads them will have no occasion for any other history of those times* <sup>1</sup>.


My first business, therefore, after I had undertaken this task was to read over Cicero's works, with no other view, than to extract from them all the passages that seemed to have any relation to my design : where the tediousness of collecting an infinite number of testimonies, scattered through many different volumes ; of sorting them into their classes, and ranging them in proper order ; the necessity of overlooking many in the first search, and the trouble of retrieving them in a second or third, and the final omission of several, through forgetfulness or inadvertency, have helped to abate the wonder, which had often occurred to me, why no man had ever

guage and customs of Rome, and liable to frequent mistakes, as well as subject to prejudices in their relation of Roman affairs. Plutarch lived from the reign of Claudius to that of Hadrian; in which he died very old, in the possession of the priesthood of the Delphic Apollo: and though he is supposed to have resided in Rome near forty years, at different times, yet he never seems to have acquired a sufficient skill in the Roman language, to qualify himself for the compiler of a Roman history. But if we should allow him all the talents requisite to an historian, yet the attempt of writing the lives of all the illustrious Greeks and Romans, was above the strength of any single man, of what abilities and leisure soever; much more of one who, as he himself tells us, was so engaged in public business, and in giving lectures of philosophy to the great men of Rome, that he had not time to make himself master of the Latin tongue, nor to acquire any other knowledge of its words, than what he had gradually learnt by a previous use and experience of things<sup>1</sup>: his work, therefore, from the very nature of it, must needs be superficial and imperfect, and the sketch, rather than the completion, of a great design.

This we find to be actually true in his account of Cicero's life, where, besides the particular mistakes that have been charged upon him by other writers, we see all the marks of haste, inaccuracy, and want of due information, from the poverty and perplexity of the whole performance. He huddles over Cicero's greatest acts in a summary and negligent manner, yet dwells upon his dreams and his jests, which, for the greatest part, were probably spurious; and, in the last scene of this life, which was of all the most glorious, when the whole counsels of the empire, and the fate and liberty of Rome rested on his shoulders, there he is more particularly trifling and empty; where he had the fairest opportunity of displaying his

declares afterwards of himself, that he was admonished and commanded, by a vision from heaven, against his own will and inclination, to undertake the task of writing his history<sup>1</sup>.

Upon these collections from Cicero, and the other ancients, I finished the first draught of my history, before I began to inquire after the modern writers, who had treated the same subject before me, either in whole or in part. I was unwilling to look into them sooner, lest they should fix any prejudice insensibly upon me, before I had formed a distinct judgment on the real state of the facts, as they appeared to me from their original records. For in writing history, as in travels, instead of transcribing the relations of those, who have trodden the same ground before us, we should exhibit a series of observations, peculiar to ourselves; such as the facts and places suggested to our own minds, from an attentive survey of them, without regard to what any one else may have delivered about them; and though in a production of this kind, where the same materials are common to all, many things must necessarily be said, which had been observed already by others; yet, if the author has any genius, there will always be enough of what is new, to distinguish it as an original work, and to give him a right to call it his own, which I flatter myself will be allowed to me in the following history. In this inquiry after the modern pieces, which had any connexion with my argument, I got notice presently of a greater number than I expected, which bore the title of Cicero's life; but, upon running over as many of them as I could readily meet with, I was cured of my eagerness for hunting out the rest, since I perceived them to be nothing else but either trifling panegyrics on Cicero's general character, or imperfect abstracts of his principal acts, thrown together within the compass of a few pages in duodecimo.



in ranging my materials into their proper order. In whatever, I have always taken care to consult that the reader should

not forget to pay a due attention to the French literature. It happened to coincide with any part of mine. particular history of the two Triumvirates:—of the first Triumvirate, a Government; and of the Exile of Cicero—these are all ingenious and useful, and have given a new direction to the state of the facts, which they profess to illustrate. But as I have been at the fountain-head, whence they take all their materials, so the chief benefit that I received from them was a review with stricter care the particular passages I borrowed from them, as well as to remind me of some few things that I had omitted, or touched perhaps more slightly than they do. But the author of the Exile has treated his subject more liberally of them, by supporting his story as he goes with original testimonies from the old authors, which is the only way of history that can give satisfaction. It carries the reader along by laying open the ground on which it is built. Without this story assumes the air of romance, and makes us doubt more than in proportion to our opinion of the judgment and taste of the compiler.

It is a little piece also in our own language, called *Commentary on the Life of Cicero*, which, though it gives a very different view of Cicero from what I have done, yet I could not but read with pleasure for the elegance and spirit with which it is written. It appears to be animated with a warm love of virtue. But it does not show us of a great man, from some slight passages of his writings, or the points of conduct, without regarding their connection with the whole, or the figure that they make in his general character. It is like things in a microscope, which were made to be enlarged, and not to be made into a mosaic, and the picture of a

ment upon them, has made that use more obvious and accessible : I mean the learned Mr. Mongault ; who, not content with tailing the remarks of other commentators, or, out of the rub their volumes, with selecting the best, enters upon his task with spirit of a true critic, and by the force of his own genius, happily illustrated many passages, which all the interpreters before had given up as inexplicable. But since the obscurity of letters is now, in great measure, removed, by the labours of this gentleman, and especially to his own countrymen, for whose particular benefit, and in whose language he writes ; one cannot wonder, that the Jesuits, Catrou and Rouillé, should not find it worth while, by the benefit of his pains, to have made them better acquainted with them ; which, as far as I am able to judge from the little part of their history, that I have had the curiosity to look into, would have prevented several mistakes, which they have committed, with regard both to the facts and persons of the Christian age.

But, instead of making free with other people's mistakes, it becomes me perhaps better to bespeak some favour for my own. "A historian," says Diodorus Siculus, "may easily be pardoned for errors of ignorance, since all men are liable to them, and the truth may be traced from past and remote ages : but those, who neglect to inform themselves, and through flattery to some, or hatred to some, knowingly deviate from the truth, justly deserve to be censured." For my part, I am far from pretending to be exempt from error ; that I can say is, that I have committed none wilfully, and in the means which occurred to me, of defending myself against them ; but since there is not a single history, either ancient or modern, that I have consulted, on this occasion, in which I cannot point out some error, it would be arrogant in me to imagine, that the same inadvertence or negligence, or want of judgment, may not be discovered

## PREFACE.

them world, that so beautifully display, and so forcibly re-  
veal, all those generous principles, that tend to exalt and pu-  
rify human nature; the love of virtue, liberty, our country, and our  
kind.

I cannot support this reflection by a better authority, than  
Cicero; who, having contracted some prejudices against  
him young, makes a recantation of them when old, in the fourth  
volume of a letter to his friend Ulatenus<sup>1</sup>:

"When I was a boy," says he, "I was fonder of Seneca than of  
Cicero; and till I was twenty years old, could not bear to spend any  
time in reading him; while all the other writers of antiquity gene-  
rally pleased me. Whether my judgment be improved by age, I  
know not; but I am certain that Cicero never pleased me so much,  
as I was fond of those juvenile studies, as he does now, when I  
am grown old; not only for the divine felicity of his style, but the  
rectitude of his heart and morals: in short, he has inspired my soul,  
and made me feel myself a better man. I make no scruple, there-  
fore, to exhort our youth, to spend their hours in reading and get-  
ting his books by heart, rather than in the vexatious squabbles and  
unprofitable controversies, with which the world abounds. For my own  
part, though I am now in the decline of life, yet as soon as I have  
finished what I have in hand, I shall think it no reproach to me,  
to seek a reconciliation with my Cicero, and renew an old ac-  
quaintance with him, which, for many years, has been unhappily  
interrupted."

Before I conclude this preface, it will not be improper to add a  
short abstract, or general idea, of the Roman government, from its  
first institution by Romulus, to the time of Cicero's birth; that those,  
who have not been conversant in the affairs of Rome, may not come  
entire strangers to the subject of the following history.

The constitution of Rome is very often celebrated by Cicero,  
and other writers, as the most perfect of all governments; being  
equally tempered and composed of the three different sorts, that  
are usually distinguished from each other; the monarchical, the  
aristocratical, and the popular<sup>2</sup>. Their king was elected by the  
people, as the head of the Republic; to be their leader in war,  
the guardian of the laws in peace; the senate was his council,  
chosen also by the people, by whose advice he was obliged to  
govern himself in all his measures: but the sovereignty was lodged  
in the body of the citizens, or the general society; whose prerogative  
it was, to enact laws, create magistrates, declare war<sup>3</sup>, and to receive  
appeals in all cases, both from the king and the senate. Some writers  
have denied this right of an appeal to the people: but Cicero ex-  
pressly mentions it among the regal constitutions, as old as the foun-

<sup>1</sup> *Erasm. Ep. ad Jo. Ulat. in Cic. Tuscul. Quest.*

<sup>2</sup> *Statuo esse optime constitutam Rempub. quæ ex tribus generibus illis, regali, optimo, populari, confusa modice.*—*Fragm. de Rep. 2.*

*Cum in illis de Repub. libris persuadere videatur Africanus, omnium Rerumpubli-  
carum nostram veterem illam fuisse optimam. De Leg. 2. 10. Polyb. l. 6. p. 460. Dion.  
al. l. 2. 82.*

<sup>3</sup> *Dion. Hal. l. 2. 87.*

dation of the city<sup>1</sup>; which he had demonstrated more at large in his treatise on the Republic; whence Seneca has quoted a passage in confirmation of it: and intimates, that the same right was deduced likewise in the pontifical books<sup>2</sup>. Valerius Maximus gives us an instance of it, which is confirmed also by Livy, that Horatius, being condemned to die by king Tullus, for killing his sister, was acquitted upon his appeal to the people<sup>3</sup>.

This was the original constitution of Rome, even under the kings: for, in the foundation of a state, where there was no law to compel, it was necessary to invite men into it, by all proper encouragements; and none could be so effectual, as the assurance of liberty, and the privilege of making their own laws<sup>4</sup>. But the kings, by gradual encroachments, having usurped the whole administration to themselves, and, by the violence of their government, being grown intolerable to a city, trained to liberty and arms, were finally expelled by a general insurrection of the senate and the people. This was the ground of that invincible fierceness, and love of their country in the old Romans, by which they conquered the world; for the superiority of their civil rights naturally inspired a superior virtue and courage to defend them; and made them, of course, the bravest as long as they continued the freest, of all nations.

By this revolution of the government, their old constitution was not so much changed, as restored to its primitive state: for though the name of king was abolished, yet the power was retained; with this only difference, that instead of a single person chosen for life there were two chosen annually, whom they called consuls: invested with all the prerogatives and ensigns of royalty, and presiding in the same manner in all the affairs of the Republic<sup>5</sup>; when, to convince the citizens that nothing was sought by the change, but to secure their common liberty; and to establish their sovereignty again on more solid basis, one of the first consuls, P. Valerius Potitius, co-

degree they thought fit, by the proposal of factious laws for dividing the public lands to the poorer citizens ; or by the free distribution of corn ; or the abolition of all debts ; which are all contrary to the quiet, and discipline, and public faith of societies. This abuse of the tribunician power was carried to its greatest height by the two Gracchi, who left nothing unattempted, that could mortify the senate, or gratify the people<sup>1</sup> ; till, by their agrarian laws, and other seditious acts, which were greedily received by the city, they had in great measure overturned the equilibrium of power in the Republic, on which its peace and prosperity depended.

But the violent deaths of these two tribunes, and of their principal adherents, put an end to their sedition, and was the first civil blood that was spilt in the streets of Rome, in any of their public dissensions ; which, till this time, had always been composed by the method of patience and mutual concessions. It must seem strange to observe, how these two illustrious brothers, who, of all men, were the dearest to the Roman people, yet, upon the first resort to arms, were severally deserted by the multitude, in the very height of their authority, and suffered to be cruelly massacred, in the face of the whole city : which shews what little stress is to be laid on the assistance of the populace, when the dispute comes to blows ; and that sedition, though it may often shake, yet will never destroy, a free state, while it continues unarmed, and unsupported by a military force. But this vigorous conduct of the senate, though it seemed necessary to the present quiet of the city, yet soon after proved fatal to it : as it taught all the ambitious, by a most sensible experiment, that there was no way of supporting an usurped authority, but by force ; so that, from this time, as we shall find in the following story, all those who aspired to extraordinary powers, and a dominion in the Republic, seldom troubled themselves with what the senate or people were voting at Rome, but came, attended





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**BIFE**

or

## MARCUS TULLIUS CICERO.

### SECTION I.

*Cons.—Q. Servilius Culpia, C. Attilius Barba.*

**MARCUS TULLIUS CICERO** was born on the third of January, in the six-hundred-forty-seventh year of Rome, about a hundred and seven years before CHRIST<sup>1</sup>. His birth, if we believe Plutarch, was attended by prodigies, foretelling the future eminence and lustre of his character, "which might have passed," he says, "for idle dreams, had not the event soon confirmed the truth of the prediction:" but since we have no hint of these prodigies from Cicero himself, or any author of that age, we may charge them to the credulity or the invention of a writer who loves to raise the solemnity of his story by the introduction of something miraculous.

His mother was called Helvia; a name mentioned in history and old inscriptions among the honourable families of Rome. She was rich and well descended, and had a sister married to a Roman knight of distinguished merit, C. Aculeo, an intimate friend of the orator, L. Crassus, and celebrated for a singular knowledge of the law; in which his sons, likewise, our Cicero's cousin-germans, were afterwards very eminent<sup>2</sup>. It is remarkable, that Cicero never once speaks of his mother in any part of his writings; but his younger brother Quintus has left

<sup>1</sup> 111 Nona Jan. natali meo. Ep. ad Att. 7. 5. lt. 13, 43.

<sup>2</sup> This computation follows the common era of Christ's birth, which is placed three years later than it ought to be. Pompey the Great was born also in the same year, on the last of September. Vid. Pigh. Annal. Plin. 37. 2.

<sup>3</sup> De Orat. 1. 43. 2. 1.

a little story of her, which seems to intimate her good management and housewifery; "how she used to seal all her wine casks, the empty as well as the full, that when any of them were found empty and unsealed, she might know them to have been emptied by stealth;" it being the most usual theft among the slaves of great families to steal their master's wine out of the vessels<sup>1</sup>.

As to his father's family, nothing was delivered of it but in extremes<sup>2</sup>: which is not to be wondered at in the history of a man, whose life was so exposed to envy, as Cicero's, and who fell a victim at last to the power of his enemies. Some derive his descent from kings, others from mechanics<sup>3</sup>; but the truth lay between both; for his family, though it had never borne any of the great offices of the Republic, was yet very ancient and honourable<sup>4</sup>; of principal distinction and nobility in that part of Italy, in which it resided; and of equestrian rank<sup>5</sup>, from its first admission to the freedom of Rome.

Some have insinuated, that Cicero affected to say but little of the splendour of his family, for the sake of being considered as the founder of it; and chose to suppress the notion of his regal extraction, for the aversion that the people of Rome had to the name of King; with which however he was sometimes reproached by his enemies<sup>6</sup>, but those speculations are wholly imaginary: for as oft as there was occasion to mention the character and condition of his ancestors, he speaks of them always with great frankness, declaring them "to have been content with their paternal fortunes, and the private honours of their own city, without the ambition of appearing on the

ic stage of Rome." Thus in a speech to the people in advancement to the consulship; "I have no pretence," to "to enlarge before you, upon the praises of my ancestors; not but they were all such as myself, who am descended from their blood, and trained by their discipline; but because I lived without this applause of popular fame, and the odour of these honours, which you confer." It is on account, therefore, that we find him so often called a new man; not that his family was new or ignoble, but because he was the first of it, who ever sought and obtained the public offices of the state.

The place of his birth was Arpinum; a city anciently of the Latins, now part of the kingdom of Naples; which, upon its union to Rome, acquired the freedom of the city, and was added into the Cornelian tribe. It had the honour also of being the birthplace of the great C. Marius; which gave occasion to Pompey in a public speech, "That Rome was indebted to this city for two citizens, who had, each in his turn, preserved it from ruin." It may justly, therefore, claim a place in the memory of posterity, for giving life to such worthies, who glorified the character which Pliny gives of true glory, being what deserved to be written, and writing what deserved to be read;" and making the world the happier and better for their having lived in it.

The territory of Arpinum was rude and mountainous, to which Cicero applies Homer's description of Ithaca;

— τρηχὺν δ' ἀλλ' ἀγαθὴν, κουροτρόφος, &c.  
'Tis rough indeed, yet breeds a gen'rous race.'

His family seat was about three miles from the town, in a place which was both extremely pleasant, and well adapted to the nature of his temper. It was surrounded with groves and shady walks, leading from the house to a river, called Fibrenus; "which was divided into two equal streams, by a little island, covered with trees and a portico, contrived both for study and exercise, whither Cicero used to retire, when he had any particular work upon his hands. The clearness and rapidity of the stream, murmuring through a rocky channel; the shade and verdure of its banks, planted with tall poplars; the remarkable coldness of the water; and, above all, its falling by a cascade into the nobler river Liris, a little below the island, presents us the idea of a most beautiful scene," as Cicero himself has described it. When Atticus first saw it, he was struck with it, and wondered that Cicero did not prefer it to

<sup>1</sup> De Leg. Agrar. con. Rull. ad Quintos. l.  
gib. 2. 3. Val. Max. 2. 2. <sup>2</sup> Plin. Ep. <sup>3</sup> Ad Att. 2. xi. Odysse. 9. 57  
B 2

all his other houses; declaring a contempt of the labour, magnificence, marble pavements, artificial canals, and forced streams of the celebrated villas of Italy, compared with the natural beauties of this place'. The house, as Cicero says, was but small and humble in his grandfather's time, according to the ancient frugality, like the Sabine farm of old Curius, till his father beautified and enlarged it into a handsome and spacious habitation.

But there cannot be a better proof of the delightfulness of the place, than that it is now possessed by a convent of monks, and called the Villa of St. Dominic'. Strange revolution! to see Cicero's porticos converted to monkish cloisters! the seat of the most refined reason, wit, and learning, to a nursery of superstition, bigotry, and enthusiasm! What a pleasure must it give to these Dominican inquisitors to trample on the ruins of a man, whose writings, by spreading the light of reason and liberty through the world, have been one great instrument of obstructing their unwearied pains to enslave it.

Cicero, being the first born of the family, received, as usual, the name of his father, and grandfather, Marcus. This name was properly personal, equivalent to that of baptism with us, and imposed with ceremonies somewhat analogous to it, on the ninth day, called the lustrical, or day of purification'; when the child was carried to the temple by the friends and relations of the family, and, before the altars of the gods, recommended to the protection of some tutelar deity.

Tullius was the name of the family; which, in old language, signified flowing streams, or ducts of water, and was derived, therefore, probably, from their ancient situation, at the con-

a reputation of being the best husbandmen, or improvers of that species<sup>1</sup>." As Tullius, therefore, the family name, was derived from the situation of the farm, so Cicero, the surname, from the culture of it by vetches. This, I say, is the most probable, because agriculture was held the most liberal employment in old Rome, and those tribes, which resided on their farms in the country, the most honourable; and this very grain, from which Cicero drew his name, was, in all ages of the Republic, in great request with the meaner people; being one of the usual largesses bestowed upon them by the rich, and sold every where in the theatres and streets ready parched or boiled for present use<sup>2</sup>.

Cicero's grandfather was living at the time of his birth, and from the few hints, which are left of him, seems to have been a man of business, and interest in his country<sup>3</sup>. He was at the head of a party in Arpinum, in opposition to a busy turbulent man, M. Gratidius, whose sister he had married, who was pushing forward a popular law, to oblige the town to transact all their affairs by ballot. The cause was brought before the consul Scæurus; in which old Cicero behaved himself so well, that the consul paid him the compliment to wish, "that a man of his spirit and virtue would come and act with them in the great theatre of the Republic, and not confine his talents to the narrow sphere of his own corporation<sup>4</sup>." There is a saying likewise recorded of this old gentleman, "that the men of those times were like the Syrian slaves: the more Greek they knew, the greater knaves they were<sup>5</sup>:" which carries with it the notion of an old patriot, severe on the importation of foreign arts, as destructive of the discipline and manners of his country. This grandfather had two sons: Marcus the elder, the father of our Cicero; and Lucius, a particular friend of the celebrated orator, M. Antonius, whom he accompanied to his government of Cilicia<sup>6</sup>; and who left a son of the same

<sup>1</sup> Hist. Nat. 18. 3. 1.

<sup>2</sup> In cicere atque faba bona tu perdaque lupina.

Latus ut in Circo spatere, et æneus ut itea. Hor. Sat. 2. 3. 182

Nec siquid fricti cicernis probat et nucis emtor Art. Poet. 249

<sup>3</sup> De Legib. 2. 1.

<sup>4</sup> Ac nostro quidem huic, cum res esset ad se delata, consul Scæurus, utinam, inquit, M. Cicero, isto animo atque virtute, in summis Repub. nobiscum versari, quam in municipali maluisse! Ibid. 3. 16.

<sup>5</sup> Nostros homines similes esse Syrorum venalium. ut quique optime Græce sciret ita esse nequamissimum. De Orat. 2. 66.

N.B. A great part of the slaves in Rome were Syrians; for the pirates of Cilicia, who used to infest the coasts of Syria, carried all their captives to the market of Delos, and sold them there to the Greeks, through whose hands they usually passed to Rome. These slaves, therefore, who had lived the longest with their Grecian masters and consequently talked Greek the best, were the most practised in all the little tricks and craft that servitude naturally teaches; which old Cicero, like Cato the Censor, imputed to the arts and manners of Greece itself. Vid. Adv. Turneb. in jocos Ciceron

<sup>6</sup> De Orat. 2. 1.

name, frequently mentioned by Cicero with great affection, as a youth of excellent virtue and accomplishments<sup>1</sup>.

His father Marcus also was a wise and learned man, whose merit recommended him to the familiarity of the principal magistrates of the Republic, especially Cato, L. Crassus, and L. Cæsar<sup>2</sup>; but being "of an infirm and tender constitution," he spent his life chiefly at Arpinum, in an elegant retreat, "and the study of polite letters<sup>3</sup>."

But his chief employment, from the time of his having sons, was to give them the best education which Rome could afford, in hopes to excite in them an ambition of breaking through the indolence of the family, and aspiring to the honours of the state. They were bred up with their cousins, the young Aculeos, in a method approved and directed by L. Crassus; a man of the first dignity, as well as the first eloquence in Rome, and by those very masters, whom Crassus himself made use of<sup>4</sup>. The Romans were, of all people, the most careful and exact in the education of their children: their attention to it began from the moment of their birth; when they committed them to the care of some prudent matron of reputable character and condition, whose business it was to form their first habits of acting and speaking; to watch their growing passions, and direct them to their proper objects; to superintend their sports, and suffer nothing immodest or indecent to enter into them; that the mind, preserved in its innocence, nor depraved by a taste of false pleasure, might be at liberty to pursue whatever was laudable, and apply its whole strength to that profession, in which it desired to excel<sup>5</sup>.

It was the opinion of some of the old masters, that children



interrupted elocution: thus the two Gracchi were thought to owe that elegance of speaking, for which they were famous, to the instruction of their mother Cornelia; a woman of great politeness, whose epistles were read and admired, long after her death, for the purity of their language<sup>1</sup>.

This, probably, was a part of that domestic discipline, in which Cicero was trained, and of which he often speaks: but as soon as he was capable of a more enlarged and liberal institution, his father brought him to Rome, where he had a house of his own<sup>2</sup>, and placed him in a public school, under an eminent Greek master, which was thought the best way of educating one, who was designed to appear on the public stage, and who, as Quintilian observes, ought to be so bred, as not to fear the sight of men; since that can never be rightly learned in solitude, which is to be produced before crowds<sup>3</sup>. Here he gave the first specimen of those shining abilities, which rendered him afterwards so illustrious; and his schoolfellows carried home such stories of his extraordinary parts and quickness in learning, that their parents were often induced to visit the school, for the sake of seeing a youth of such surprising talents<sup>4</sup>.

About this time a celebrated rhetorician, Plotius, first set up a Latin school of eloquence in Rome, and had a great resort to him<sup>5</sup>: young Cicero was very desirous to be his scholar, but was over-ruled in it by the advice of the learned, who thought the Greek masters more useful in forming him to the bar, for which he was designed. This method of beginning with Greek is approved by Quintilian; because “the Latin “would come of itself, and it seemed most natural to begin “from the fountain, whence all the Roman learning was derived; yet the rule,” he says, “must be practised with some “restriction, nor the use of a foreign language pushed so far, “to the neglect of the native, as to acquire with it a foreign “accent and vicious pronunciation<sup>6</sup>.”

Cicero's father, encouraged by the promising genius of his son, spared no cost nor pains to improve it by the help of the ablest masters, and among the other instructors of his early youth, put him under the care of the poet Archias, who came to Rome with a high reputation for learning and poetry, when Cicero was about five years old, and lived in the family of Lucullus<sup>7</sup>: for it was the custom of the great in those days to entertain in their houses the principal scholars and philosophers

<sup>1</sup> Ibid. in Brut. p. 319. edit. Sebast. Cornadi.

<sup>2</sup> This is a further proof of the wealth and flourishing condition of his family, since the rent of a moderate house in Rome, in a reputable part of the city, fit for one of the senatorial rank, was about two hundred pounds sterling per annum.

<sup>3</sup> L. 1. 2.

<sup>4</sup> Plutarch in his Life.

<sup>5</sup> Sueton. de claris Rhetoribus, c. 2.

<sup>6</sup> L. 1. 1.

<sup>7</sup> Pro Archia L. 3.

of Greece, with a liberty of opening a school, and teaching together with their own children, any of the other young nobility and gentry of Rome. Under this master, Cicero applied himself chiefly to poetry, to which he was naturally addicted, and made such a proficiency in it, that while he was still a boy, he composed and published a poem, called *Glaucon Pontius*, which was extant in Plutarch's time<sup>1</sup>.

After finishing the course of these puerile studies, it was the custom to change the habit of the boy for that of the man, and take what they called the manly gown, or the ordinary robe of the citizens: this was an occasion of great joy to the young men; who by this change passed into a state of greater liberty and enlargement from the power of their tutors<sup>2</sup>. They were introduced at the same time into the Forum, or the great square of the city, where the assemblies of the people were held, and the magistrates used to harangue to them from the rostra, and where all the public pleadings and judicial proceedings were usually transacted: this therefore was the grand school of business and eloquence<sup>3</sup> the scene, on which all the affairs of the empire were determined, and where the foundation of their hopes and fortunes were to be laid: so that they were introduced into it with much solemnity, attended by all the friends and dependants of the family; and after divine rites performed in the Capitol, were committed to the special protection of some eminent senator, distinguished for his eloquence or knowledge of the laws, to be instructed by his advice in the management of civil affairs, and to form themselves by his example for useful members and magistrates of the Republic.

Writers are divided about the precise time of changing the

der the care of Q. Mucius Scævola, the augur, the principal lawyer, as well as statesman of that age; who had passed through all the offices of the Republic, with a singular reputation of integrity, and was now extremely old: Cicero never parted from his side, but carefully treasured up in his memory all the remarkable sayings which dropped from him, as so many lessons of prudence for his future conduct<sup>1</sup>: and after his death applied himself to another of the same family, Scævola, the high priest, a person of equal character for probity and skill in the law; who, though he did not profess to teach, yet freely gave his advice to all the young students who consulted him<sup>2</sup>.

Under these masters he acquired a complete knowledge of the laws of his country; a foundation useful to all who design to enter into public affairs; and thought to be of such consequence at Rome, that it was the common exercise of boys at school to learn the laws of the twelve tables by heart, as they did their poets and classic authors<sup>3</sup>. Cicero particularly took such pains in this study, and was so well acquainted with the most intricate parts of it, as to be able to sustain a dispute on any question, with the greatest lawyers of his age<sup>4</sup>: so that in pleading once against his friend S. Sulpicius, he declared, by way of raillery, what he could have made good likewise in fact, that if he provoked him, he would profess himself a lawyer in three days' time<sup>5</sup>.

The profession of the law, next to that of arms and eloquence, was a sure recommendation to the first honours of the Republic<sup>6</sup>, and for that reason was preserved, as it were hereditary, in some of the noblest families of Rome<sup>7</sup>: who, by giving their advice gratis to all who wanted it, engaged the favour and observance of their fellow citizens, and acquired great authority in all the affairs of state. It was the custom of these old senators, eminent for their wisdom and experience, to walk every morning up and down the Forum, as a signal of their offering themselves freely to all, who had occasion to consult them, not only in cases of law, but in their private and domestic affairs<sup>8</sup>. But in later times they chose to sit at home with their doors open, in a kind of throne or raised seat, like the confessors in foreign churches, giving access and audience

<sup>1</sup> De Amicit. 1.

<sup>2</sup> Bruc. p. 39, edit. Sch. Corradi.

<sup>3</sup> De Legib. 2. 23.

<sup>4</sup> Ep. Fam. 7. 22.

<sup>5</sup> Pro Manina. 13.

<sup>6</sup> Ib. 14.

<sup>7</sup> Quorum vero patres aut majores aliqua gloria præstiterunt, non student plerumque in eodem genere laudis excellere: ut Q. Mucius P. filius, in jure civili. Off. 1. 32. 2. 19.

<sup>8</sup> M. vero Manlium nos etiam vidimus transverso ambulantiem foro: quod erat assidue, cum quid faceret, facere civibus omnibus consilii sui copiam. Ad quos olim et ambulantes et in sedibus sedentes domi ita adibat: non solum ut de jure civili ad eos verum etiam de filia collocanda — de omni denique aut officio aut negotio referretur. De Orat. 3. 33.

to all people. This was the case of the two Scævolas, especially the augur, whose house was called the oracle of the city<sup>1</sup>; and who, in the Marsic war, when worn out with age and infirmities, gave free admission every day to all the citizens, as soon as it was light, nor was ever seen by any in his bed during the whole war<sup>2</sup>.

But this was not the point that Cicero aimed at, to guard the estates only of the citizens: his views were much larger; and the knowledge of the law was but one ingredient of many, the character which he aspired to, of an universal patron, not only of the fortunes, but of the lives and liberties of his countrymen: for that was the proper notion of an orator, or pleader of causes; whose profession it was to speak aptly, elegantly and copiously on every subject which could be offered to him and whose art therefore included in it all other arts of a liberal kind, and could not be acquired to any perfection, without a competent knowledge of whatever was great and laudable in the universe. This was his own idea of what he had undertaken<sup>3</sup>; and his present business therefore was, to lay a foundation fit to sustain the weight of this great character: so that while he was studying the law under the Scævolas, he spent a large share of his time in attending the pleadings at the bar and the public speeches of the magistrates, and never passed one day without writing and reading something at home; constantly taking notes, and making comments on what he read. He was fond, when very young, of an exercise, which had been recommended by some of the great orators before him, of repeating over a number of verses of some esteemed poet, or a part of an oration, so carefully as to retain the substance of them

f the Heavens into Latin verse, of which many fragments still extant; and published also an original poem, of the kind, in honour of his countryman, C. Marius. This he admired, and often read, by Atticus: and old Scævola pleased with it, that, in an epigram which he seems to have made upon it, he declares "that it would live as long as man name and learning subsisted:" there remains still a specimen of it, describing a memorable omen given to Marius from the oak of Arpinum, which from the spirit and force of the description, shows that his poetical genius was inferior to his oratorical, if it had been cultivated with the same diligence<sup>1</sup>. He published another poem, also, called *De Arborescentibus*, of which Donatus has preserved four lines in the *Life of Marius*, in praise of the elegance and purity of that poet's language.

But while he was employing himself in these juvenile studies, for the improvement of his invention, he applied himself, with no less industry, to philosophy, for the enlargement of his mind and understanding; and, among his other studies, was very fond, at his age, of Phædrus, the Epicurean; but soon as he had gained a little more experience and insight into the principles of things, he wholly deserted and constantly disliked the principles of that sect; yet always retained a particular respect for the man, on account of his learning, humanity, and modesty.

The peace of Rome was now disturbed by a domestic war, which the writers call the Italic, Social, or Marsic: it was begun by the confederacy of the principal towns of Italy, to support the demand of the freedom of the city: the tribune Drusus made them a promise of it, but was assassinated in the act of publishing a law to confer it: this made them despe-

<sup>1</sup> *ut ait Scævola de fratris mei Mario,—canescet sæclis innumerabilibus.*  
l. 1

<sup>2</sup> *Hæc Jovis altisoni subito pinnata Satelles  
Arboris e trunco, serpentis saucia morsu,  
Subjugat ipsa feris transfigens unguibus anguem  
Semianimum, et varia graviter cervice micantem;  
Quem se intorquentem lanians rostroque cruentans,  
Jam satiata animos, jam duros ulta dolores,  
Abjicit efflantem, et laceratum adfligit in unda,  
Seque obitu a Solis, nitidos convertit ad ortus.  
Hanc ubi præpetibus pennis lapsuque; volentem  
Conspexit Marius, divini Numinis Augur,  
Fausta que signa suæ laudis, reditusque notavit;  
Partibus intonuit cœli Pater ipse ministris.  
Sic Aquilæ clarum firmavit Juppiter omen.—De Divin. l. 47.*

have no account of the argument of this piece, or the meaning of its title; probably nothing more than the Greek word *Ἀειμαῖον*; to intimate that the poem, as a garden, exhibited a variety of different fancies and flowers. The poets, as Pliny says, were fond of giving such titles to their books, as *Πανδέκτας*, *Ἰδιώτας*, *Ἀειμαῖον*, &c. [*Præf. Hist. Nat.*] and Pamphilus the Grammarian, as he has published a *Ἀειμαῖον*, or a collection of various subjects. Vid. in *l. 13. 1*

rate, and resolve to extort by force, what they could not obtain by entreaty'. They alleged it to be unjust to exclude them from the rights of a city, which they sustained by their arms; that in all its wars they furnished twice the number of troops which Rome itself did; and had raised it to all that height of power, for which it now despised them<sup>1</sup>. This war was carried on for above two years, with great fierceness on both sides, and various success: two Roman consuls were killed in it, and their armies often defeated: till the confederates, weakened also by frequent losses, and the destruction of one ally after another, were forced at last to submit to the superior fortune of Rome<sup>2</sup>. During the hurry of the war, the business of the Forum was intermitted; the greatest part of the magistrates, as well as the plenders, being personally engaged in it; Hortensius, the most flourishing young orator at the bar, was a volunteer in it the first year, and commanded a regiment the second<sup>3</sup>.

Cicero likewise took the opportunity to make a campaign, along with the consul Cn. Pompeius Strabo, the father of Pompey the Great; this was a constant part of the education of the young nobility: to learn the art of war by personal service, under some general of name and experience; for in an empire raised and supported wholly by arms, a reputation of martial virtue was the shortest and surest way of rising to its highest honours; and the constitution of the government was such, that as their generals could not make a figure even in camps, without some institution in the politer arts, especially that of speaking gracefully<sup>4</sup>; so those, who applied themselves to the peaceful studies, and the management of civil affairs,

Upon the breaking out of this war, the Romans gave the freedom of the city to all the towns which continued firm to them; and, at the end of it, after the destruction of three hundred thousand lives, thought fit, for the sake of their future quiet, to grant it to all the rest; but this step, which they considered as the foundation of a perpetual peace, was, as an ingenious writer has observed, one of the causes that hastened their ruin: for the enormous bulk to which the city was swelled by it, gave birth to many new disorders, that gradually corrupted, and at last destroyed it; and the discipline of the laws, calculated for a people whom the same walls would contain, was too weak to keep in order the vast body of Italy; so that, from this time chiefly, all affairs were decided by faction and violence, and the influence of the great; who could bring whole towns into the Forum, from the remote parts of Italy; or pour in a number of slaves and foreigners, under the form of citizens; for when the names and persons of real citizens could no longer be distinguished, it was not possible to know whether any act had passed regularly, by the genuine suffrage of the people<sup>1</sup>.

The Italic war was no sooner ended, than another broke out, which, though at a great distance from Rome, was one of the most difficult and desperate in which it ever was engaged; against Mithridates, King of Pontus, a martial and powerful prince, of a restless spirit and ambition, with a capacity equal to the greatest designs: who, disdaining to see all his hopes blasted by the overbearing power of Rome, and confined to the narrow boundary of his hereditary dominion, broke through his barrier at once, and overran the lesser Asia like a torrent,



to himself, by the suffrage of the people. This raised great tumults in the city between the opposite parties, in which the son of Q. Pompeius the consul, and the son-in-law of Sylla, was killed: Sylla happened to be absent, quelling the remains of the late commotions near Nola: but upon the news of these disorders, he hastened with his legions to Rome, and having entered it, after some resistance, drove Marius and his accomplices to the necessity of saving themselves by a precipitate flight. This was the beginning of the first civil war, properly so called, which Rome had ever seen: and what gave both the occasion and the example to all the rest that followed: the tribune Sulpicius was taken and slain; and Marius so warmly pursued, that he was forced to plunge himself into the marshes of Minturnum, up to the chin in water; in which condition he lay concealed for some time, till, being discovered and dragged out, he was preserved by the compassion of the inhabitants, who, after refreshing him from the cold and hunger which he had suffered in his flight, furnished him with a vessel, and all necessaries to transport himself into Africa<sup>1</sup>.

Sylla in the meanwhile having quieted the city, and proscribed twelve of his chief adversaries, set forward upon his expedition against Mithridates: but he was no sooner gone, than the civil broils broke out afresh between the new consuls, Cinna and Octavius; which Cicero calls the Octavian war<sup>2</sup>. For Cinna, attempting to reverse all that Sylla had established, was driven out of the city by his colleague, with six of the tribunes, and deposed from the consulship: upon this he gathered an army, and recalled Marius, who, having joined his forces with him, entered Rome in a hostile manner, and, with the most horrible cruelty, put all Sylla's friends to the sword, without regard to age, dignity, or former services. Among the rest fell the consul, Cn. Octavius; the two brothers, L. Cæsar and C. Cæsar; P. Crassus, and the orator M. Antonius; whose head, as Cicero says, was fixed upon that rostra, where he had so strenuously defended the Republic when consul, and preserved the heads of so many citizens; lamenting, as it were ominously, the misery of that fate which happened afterwards to himself, from the grandson of this very Antonius. Q. Catulus also, though he had been Marius's colleague in the consulship, and in his victory over the Cimbri, was treated with the same cruelty; for when his friends were interceding for his life, Marius made them no other answer,

<sup>1</sup> Pro Plan. x. This account that Cicero gives more than once of Marius's escape makes it probable, that the common story of the Gallic soldier, sent into the prison to kill him, was forged by some of the later writers, to make the relation more tragical and affecting.

<sup>2</sup> De Div. l. 2. Philip. 14. 8.

but, He must die: he must die: so that he was obliged to kill himself<sup>1</sup>.

Cicero saw this memorable entry of his countryman Marius, who, in that advanced age, was so far from being broken, he says, by his late calamity, that he seemed to be more alert and vigorous than ever; when he heard him recounting to the people, in excuse for the cruelty of his return, the many miseries which he had lately suffered; when he was driven from that country which he had saved from destruction; when all his estate was seized and plundered by his enemies; when he saw his young son also the partner of his distress: when he was almost drowned in the marshes, and owed his life to the mercy of the Minturnensians; when he was forced to fly into Africa in a small bark, and become a suppliant to those to whom he had given kingdoms; but that since he had recovered his dignity, and all the rest, that he had lost, it should be his care not to forfeit that virtue and courage, which he had never lost<sup>2</sup>. Marius and Cinna having thus got the Republic into their hands, declared themselves consuls: but Marius died unexpectedly, as soon almost as he was inaugurated into his new dignity, on the 13th of January, in the 70th year of his age; and, according to the most probable account, of a pleuritic fever<sup>3</sup>.

His birth was obscure, though some call it equestrian; and his education wholly in camps; where he learnt the first rudiments of war, under the greatest master of that age, the younger Scipio, who destroyed Carthage: till, by long service, distinguished valour, and a peculiar hardness and patience of discipline, he advanced himself gradually through all the steps

who were supping with him at Numantia, what general the Republic would have, in case of any accident to himself: "that man," replied he, pointing to Marius, "at the bottom of the table." In the field he was cautious and provident: and while he was watching the most favourable opportunities of action, affected to take all his measures from augurs and diviners: nor ever gave battle, till by pretended omens and Divine admonitions, he had inspired his soldiers with a confidence of victory: so that his enemies dreaded him, as something more than mortal: and both friends and foes believed him to act always by a peculiar impulse and direction from the gods. His merit, however, was wholly military, void of every accomplishment of learning, which he openly affected to despise: so that Arpinum had the singular felicity to produce the most glorious contemner, as well as the most illustrious improver of the arts and eloquence of Rome. He made no figure therefore in the gown, nor had any other way of sustaining his authority in the city, than by cherishing the natural jealousy between the senate and the people; that by his declared enmity to the one, he might always be at the head of the other; whose favour he managed, not with any view to the public good, for he had nothing in him of the statesman, or the patriot, but to the advancement of his private interest and glory. In short, he was crafty, cruel, covetous, perfidious: of a temper and talents greatly serviceable abroad, but turbulent and dangerous at home: an implacable enemy to the nobles: ever seeking occasions to mortify them, and ready to sacrifice the Republic, which he had saved, to his ambition and revenge. After a life spent in the perpetual toils of foreign or domestic wars, he died at last in his bed, in a good old age, and in his seventh consulship: an honour that no Roman before him ever attained: which is urged by Cotta, the academic, as one argument amongst others against the existence of a Providence<sup>1</sup>.

The transactions of the Forum were greatly interrupted by these civil dissensions: in which some of the best orators were killed, others banished: Cicero, however, attended the harangues of the magistrates, who possessed the rostra in their turns: and being now about the age of twenty-one, drew

<sup>1</sup> Non est restitutio. [Vell. Pat. 2. 56.] Sc. P. Africanus apudna ac militem. [Pro Ros. 20. Vell. Max. 4. 15.] Populus Romanum alium repellendis, et suis hostibus, et suis domesticis, quam Metellum, est ratus. [Vell. Pat. 2. 12.] Bis Italiam obsidione et interducent servavit. [In Cat. 4. 8.] Omnes sunt atque hostes, et ceteri, qui aut bellum, aut vim esse, aut Decemviri non cuncta portendi. [Sallust. Bell. Jug. 52.] Ceterum felicitatis Arpinum, sive unicum litterarum gloriosissimum contemptorem, singulari amissimum, et non interitum. [Vell. Max. 2. 27.] Quod in bello optatus, in pace perisimus, et in suis glorie insatiabilis, in ceteris concupiscit omnibus. [Vell. Pat. 2. 5.] Ceterum de perfidiosis non, C. Marius, Q. Catilinam, pro tanto, et ceteris, non potest perire, et cetera. [Sallust. Bell. Jug. 52.]

up, probably, those rhetorical pieces, which were published by him, as he tells us, when very young, and are supposed to be the same that still remain on the subject of invention: but he condemned and retracted them afterwards in his advanced age, as unworthy of his maturer judgment, and the work only of a boy, attempting to digest into order the precepts which he had brought away from school<sup>1</sup>.

In the meanwhile, Philo, a philosopher of the first name in the academy, with many of the principal Athenians, fled to Rome from the fury of Mithridates, who had made himself master of Athens, and all the neighbouring parts of Greece: Cicero immediately became his scholar, and was exceedingly taken with his philosophy; and by the help of such a professor gave himself up to that study with the greater inclination, as there was cause to apprehend that the laws and judicial proceedings, which he had designed for the ground of his fame and fortunes, would be wholly overturned by the continuance of the public disorders<sup>2</sup>.

But Cinna's party having quelled all opposition at home, while Sylla was engaged abroad in the Mithridatic war, there was a cessation of arms within the city for about three years, so that the course of public business began to flow again in its usual channel; and Molo, the Rhodian, one of the principal orators of that age, and the most celebrated teacher of eloquence, happening to come to Rome at the same time, Cicero presently took the benefit of his lectures, and resumed his oratorical studies with his former ardour<sup>3</sup>. But the greatest spur to his industry was the fame and splendour of Hortensius,

to correct and improve them, unless they be written in  
language<sup>1</sup>.

In this interval Sylla was performing great exploits against  
Mithridates, whom he had driven out of Greece and Asia, and  
had once more to his own territory; yet at Rome, where  
he was master, he was declared a public enemy, and his  
property confiscated: this insult upon his honours and fortunes,  
him very desirous to be at home again, in order to take  
vengeance upon his adversaries; so that after all his success  
in war, he was glad to put an end to it by an honourable  
peace, the chief article of which was, that Mithridates should  
retain the whole expense of it, and content himself for the  
future with his hereditary kingdom. On his return he brought  
with him from Athens the famous library of Apellicon  
the Athenian, in which were the works of Aristotle and Theo-  
phrastus, that were hardly known before in Italy, or to be  
indeed entire any where else<sup>2</sup>. He wrote a letter at  
the same time to the senate, setting forth his great services,  
the ingratitude with which he had been treated; and ac-  
cusing them, that he was coming to do justice to the Re-  
public and to himself, upon the authors of those violences;  
the great terrors in the city; which, having lately felt  
the terrible effects of Marius's entry, expected to see the same  
acted over again by Sylla.

While his enemies were busy in gathering forces to op-  
pose him, Cinna, the chief of them, was killed in a mutiny of  
his soldiers: upon this, Sylla hastened his march, to take  
advantage of that disturbance, and landed at Brundisium with  
thirty thousand men: hither many of the nobility pre-  
sorted to him, and among them young Pompey, about

other consul, Scipio, found means to corrupt his army, and draw it over to himself: he gave Scipio, however, his life, who went into a voluntary exile at Marseilles'. The new consuls chosen in the mean time at Rome, were Cn. Papirius Carbo and young Marius; the first of whom, after several defeats, was driven out of Italy, and the second besieged Præneste; where, being reduced to extremity, and despairing of relief, he wrote to Damasippus, then prætor of the city, to call a meeting of the senators, as if upon business of importance, and put the principal of them to the sword: in this massacre many of the nobles perished, and old Scævola, the high priest, the pattern of ancient temperance and prudence, Cicero calls him, was slain before the altar of Vesta: at which sacrifice of noble blood to the manes of his father, young Marius put an end to his own life.

Pompey at the same time pursued Carbo into Sicily, and having taken him at Lilybæum, sent his head to Sylla, though he begged his life in an abject manner at his feet: this drew some reproach upon Pompey, for killing a man, to whom he had been highly obliged on an occasion where his father's honour and his own fortunes were attacked. But this is the constant effect of factions in states, to make men prefer the interests of a party, to all the considerations, either of private or public duty; and it is not strange that Pompey, young and ambitious, should pay more regard to the power of Sylla, than to a scruple of honour or gratitude. Cicero, however, says of this Carbo that there never was a worse citizen, or more wicked man, which will go a great way towards excusing Pompey's act.

## OF CICERO.

of Italy; where, besides the crime of party, which was known to none, it was fatal to be possessed of money, lands, or a pleasant seat; all manner of licence being indulged to an armed army, of carving for themselves what fortunes they pleased<sup>1</sup>.

In this general destruction of the Marian faction, J. Cæsar, about seventeen years old, had much difficulty to escape his life: he was nearly allied to old Marius, and had married his daughter; whom he could not be induced to put away, still the threats of Sylla; who, considering him for that reason as irreconcilable to his interests, deprived him of his father's fortune and the priesthood, which he had obtained. Cæsar, therefore, apprehending still somewhat worse, thought prudent to retire and conceal himself in the country, where, being discovered accidentally by Sylla's soldiers, he was forced to redeem his head by a very large sum: but the intercession of the vestal virgins, and the authority of his powerful relations, extorted a grant of his life very unwillingly from Sylla; he bade them take notice, that he, for whose safety they were solicitous, would one day be the ruin of that aristocracy, which he was then establishing with so much pains, for that he saw many Mariuses in one Cæsar<sup>2</sup>. The event confirmed his prediction; for, by the experience of these times, young Cæsar was instructed both how to form and to execute that scheme, which was the grand purpose of his whole life, of pressing the liberty of his country.

As soon as the proscriptions were over, and the scene grown a little calm, L. Flaccus, being chosen interrex, declared Sulla dictator for settling the state of the Republic, without any limitation of time, and ratified whatever he had done, or could do, by a special law that empowered him to put any citizen to death without hearing or trial<sup>3</sup>. This office of dictator, which in early times had oft been of singular service to the Republic in cases of difficulty and distress, was now grown odious and suspected, in the present state of its wealth and power, as dangerous to the public liberty, and for that reason had been wholly disused and laid aside for one hundred and twenty years past<sup>4</sup>: so that Flaccus's law was the pure effect

<sup>1</sup> Namque uti quisque domum aut villam, postremo aut vas aut vestimentum alienius accepiverat, dabat operam, ut in in proscriptorum numero esset.—Neque prius suum placidi fuit, quam Sylla omnes suos divitiis explevit. Sallust. c. 51. Plut. Sylla.

<sup>2</sup> Scirent enim, quem incolumem tanto opere cuperent, quandoque optimatum partem, quam secum simul defendissent, exitio futuram; nam Cæsari multos Marios inesse, uten. J. Cæs. c. 1. Plut. in Cæs.] Cinna's gener, cujus filium ut repudicaret, nullo modo compelli potuit. Vell. Pat. 2. 42.

<sup>3</sup> De Leg. Agrar. con. Rull. 3. 2.

<sup>4</sup> Cujus honore usurpatio per annos cxx intermissa—ut appareat populum Romanum etiam Dictatoris non tam desiderasse, quam timuisse potestatem imperii, quo priores medicandam maximis periculis Rempub. uni fuerant. Vell. Pat. 2. 28.

of force and terror; and though pretended to be made by the people, was utterly detested by them. Sylla, however, being invested by it with absolute authority, made many useful regulations for the better order of the government; and by the plenitude of his power changed in a great measure the whole constitution of it, from a democratical to an aristocratical form, by advancing the prerogative of the senate, and depressing that of the people. He took from the Equestrian order the judgment of all causes, which they had enjoyed from the time of the Gracchi, and restored it to the senate; deprived the people of the right of choosing the priests, and replaced it in the colleges of priests: but, above all, he abridged the immoderate power of the tribunes, which had been the chief source of all the civil dissensions; for he made them incapable of any other magistracy after the tribunate; restrained the liberty of appealing to them; took from them their capital privilege, of proposing laws to the people: and left them nothing but their negative; or, as Cicero says, the power only of helping, not of hurting any one'. But, that he might not be suspected of aiming at a perpetual tyranny, and a total subversion of the Republic, he suffered the consuls to be chosen in the regular manner, and to govern, as usual, in all the ordinary affairs of the city: whilst he employed himself particularly in reforming the disorders of the state, by putting his new laws in execution; and in distributing the confiscated lands of the adverse party among his legions: so that the Republic seemed to be once more settled on a legal basis, and the laws and judicial proceedings began to flourish in the Forum. About the same

being previously acquainted with every thing worth knowing in art or nature; that this is implied in the very name of orator: whose profession it is, to speak upon every subject, which can be proposed to him; and whose eloquence, without knowledge of what he speaks, would be the prattle only and impertinence of children<sup>1</sup>. He had learnt the rudiments of grammar and languages from the ablest teachers: gone through the studies of humanity and the politer letters with the best Archias; been instructed in philosophy by the principal professors of each sect; Phædrus the Epicurean, Philo the academic, Diodotus the stoic; acquired a perfect knowledge of the law, from the greatest lawyers, as well as the greatest gentlemen of Rome, the two Scævolas; all which accomplishments were but ministerial and subservient to that on which his hopes and ambition were singly placed, the reputation of an orator; to qualify himself, therefore, particularly for this, he attended the pleadings of all the speakers of his time; heard the daily lectures of the most eminent orators of Greece, and was perpetually composing somewhat at home, and declaiming under their correction: and, that he might neglect nothing which could help in any degree to improve and polish his style, he spent the intervals of his leisure in the company of the politer; especially of those who were remarkable for a politeness of language, and whose fathers had been distinguished by a fame and reputation of their eloquence. While he studied the law, therefore, under Scævola the augur, he frequently conversed with his wife Lælia, whose discourse, he says, was tinged with all the elegance of her father, Lælius, the politest speaker of his age<sup>2</sup>: he was acquainted likewise with her daughter Mucia, who married the great orator L. Crassus; and with her grand-daughters, the two Liciniae: one of them, the wife of L. Scipio; the other of young Marius; who all excelled in that delicacy of the Latin tongue, which was peculiar to their families, and valued themselves on preserving and propagating it to their posterity.

Thus adorned and accomplished, he offered himself to the bar about the age of twenty-six; not as others generally did, ignorant of their business, and wanting to be formed to it by use and experience<sup>3</sup>, but finished, and qualified at once to sustain any cause, which should be committed to him. It has been controverted both by the ancients and moderna,

<sup>1</sup> Ac mea quidem sententia, nemo poterit esse omni laude cumulatus orator, nisi erit omnium rerum magnarum, atque artium, scientiam consecutus. De Orat. 1. 6. 2. 2.

<sup>2</sup> Legimus epistolas Cornelie, matris Gracchorum—auditus est nobis Lælius, Cæii filius, utpote sermo: ergo illam patriæ elegantia tinctam vidimus: et filias ejus Mucias ambas, quæ sermo mihi fuit notus, &c. Brut. 319.

<sup>3</sup> Brut. 433.

what was the first cause in which he was engaged; some give it for that of P. Quinctius: others for S. Roscius: but neither of them are in the right; for in his oration for Quinctius he expressly declares, that he had pleaded other causes before it; and in that for Roscius, says only, that it was the first public or criminal cause, in which he was concerned: and it is reasonable to imagine, that he had tried his strength, and acquired some credit in private causes, before he would venture upon a public one of that importance; agreeably to the advice which Quintilian gives to his young pleaders', whose rules are generally drawn from the practice and example of Cicero.

The cause of P. Quinctius was to defend him from an action of bankruptcy, brought against him by a creditor, who, on pretence of his having forfeited his recognizance and withdrawn himself from justice, had obtained a decree to seize his estate, and expose it to sale. The creditor was one of the public criers, who attended the magistrates, and, by his interest among them, was likely to oppress Quinctius, and had already gained an advantage against him by the authority of Hortensius, who was his advocate. Cicero entered into the cause, at the earnest desire of the famed comedian, Roscius, whose sister was Quinctius's wife': he endeavoured at first to excuse himself; alleging that he should not be able to speak a word against Hortensius, any more than the other players could act with any spirit before Roscius; but Roscius would take no excuse, having formed such a judgment of him, as to think no man so capable of supporting a desperate cause, against a crafty and powerful adversary.

the resentment of Sylla<sup>1</sup>; since Roscius's defence would necessarily lead them into many complaints on the times, and the oppressions of the great; but Cicero readily undertook it, as a glorious opportunity of enlisting himself into the service of his country, and giving a public testimony of his principles and zeal for that liberty, to which he had devoted the labours of his life. Roscius was acquitted, to the great honour of Cicero; whose courage and address in defending him was applauded by the whole city; so that from this moment, he was looked upon as an advocate of the first class, and equal to the greatest names<sup>2</sup>.

Having occasion, in the course of his pleading, to mention that remarkable punishment which their ancestors had contrived for the murder of a parent, of sewing the criminal alive in a sack, and throwing him into the river, he says, "that the meaning of it was, to strike him at once, as it were, out of the system of nature, by taking from him the air, the sun, the water, and the earth; that he, who had destroyed the author of his being, should lose the benefit of those elements, whence all things derive their being. They would not throw him to the beasts, lest the contagion of such wickedness should make the beasts themselves more furious: they would not commit him naked to the stream, lest he should pollute the very sea, which was the purifier of all other pollutions: they left him no share of any thing natural, how vile or common soever; for what is so common as breath to the living, earth to the dead, the sea to those who float, the shore to those who are cast up? Yet these wretches live so, as long as they can, as not to draw breath from the air; die so, as not to touch the ground; are so tossed by the waves, as not to be washed by them; so cast out upon the shore, as to find no rest even on the rocks<sup>3</sup>." This passage was received with acclamations of applause: yet, speaking of it afterwards himself, he calls it, "the redundancy of a juvenile fancy, which wanted the correction of his sounder judgment; and, like all the compositions of young men, was not applauded so much for its own sake, as for the hopes it gave of his more improved and ripened talents<sup>4</sup>."

The popularity of his cause, and the favour of the audience gave him such spirits, that he exposed the insolence and villainy of the favourite Chrysogonus with great gaiety; and ventured even to mingle several bold strokes at Sylla himself;

<sup>1</sup> Ita loquitur homines;—huic patronos propter Chrysogoni gratiam defuturos,—ipse maxime patricii et atrocitate criminis fore, ut hic nullo negotio tolleretur, cum a nullo defensor esset.—Patronos huic defuturos putaverunt; desunt. Qui libere dicat, qui cum fide defendat, non deest profecto, Judices.—Pro Roscio Amer. 10. 11.

<sup>2</sup> Prima causa publica, pro S. Roscio dicta, tantum commendationis habuit, ut non esset, quam non nostro digna patrocinio videretur. Deinceps inde multe. Brut. 434.

<sup>3</sup> Pro Rosc. 26.

<sup>4</sup> Orat. 258. ed. Lamb.

which he took care however to palliate, by observing, "that through the multiplicity of Sylla's affairs, who reigned as absolute on earth, as Jupiter did in heaven, it was not possible for him to know, and necessary even to connive at many things, which his favourites did against his will". He would not complain," he says, "in times like those, that an innocent man's estate was exposed to public sale; for were it allowed to him to speak freely on that head, Roscius was not a person of such consequence, that he should make a particular complaint on his account; but he must insist upon it, that by the law of the proscription itself, whether it was Flaccus's, the interrex, or Sylla's, the dictator, for he knew not which to call it, Roscius's estate was not forfeited, nor liable to be sold". In the conclusion, he puts the judges in mind, "that nothing was so much aimed at by the prosecutors in this trial, as, by the condemnation of Roscius, to gain a precedent for destroying the children of the proscribed: he conjures them, therefore, by all the gods, not to be the authors of reviving a second proscription, more barbarous and cruel than the first: that the senate refused to bear any part in the first, lest it should be thought to be authorized by the public council: that it was their business by this sentence to put a stop to that spirit of cruelty, which then possessed the city, so pernicious to the Republic, and so contrary to the temper and character of their ancestors."——

As by this defence he acquired a great reputation in his youth, so he reflects upon it with pleasure in old age, and recommends it to his son, as the surest way to true glory and authority in his country; to defend the innocent in distress,

engaged, as before, in the same task of pleading causes<sup>1</sup>; and in one especially, more obnoxious to Sylla's resentment, even than that of Roscius; for in the case of a woman of Arretium, he defended the right of certain towns of Italy to the freedom of Rome, though Sylla himself had deprived them of it by an express law; maintaining it to be one of those natural rights which no law or power on earth could take from them: in which also he carried his point, in opposition to Cotta, an senator of the first character and abilities, who pleaded against him<sup>2</sup>.

But we have a clear account from himself of the real motive of his journey: "My body," says he, "at this time was exceedingly weak and emaciated; my neck long and small; which is a habit thought liable to great risk of life, if engaged in any fatigue or labour of the lungs; and it gave the greater alarm to those who had a regard for me, that I used to speak without any remission or variation, with the utmost stretch of my voice, and great agitation of my body: when my friends therefore and physicians advised me to meddle no more with causes, I resolved to run any hazard, rather than quit the hopes of glory, which I proposed to myself from pleading; but when I considered, that by managing my voice, and changing my way of speaking, I might both avoid all danger, and speak with more ease, I took a resolution of travelling into Asia, merely for an opportunity of correcting my manner of speaking: so that, after I had been two years at the bar, and acquired a reputation in the Forum, I left Rome<sup>3</sup>," &c.

He was twenty-eight years old when he set forward upon his travels to Greece and Asia; the fashionable tour of all those, who travelled either for curiosity or improvement: his first visit was to Athens, the capital seat of arts and sciences; where, some writers tell us, that he spent three years<sup>4</sup>, though in truth it was but six months: he took up his quarters with Antiochus, the principal philosopher of the old academy; and, under this excellent master, renewed, he says, those studies which he had been fond of from his earliest youth. Here he met with his school-fellow, T. Pomponius, who from his love to Athens, and his spending a great part of his days in it, obtained the surname of Atticus<sup>5</sup>; and here they revived and

<sup>1</sup> Prima causa publica pro S. Roscio dicta—deinceps inde multe—itaque cum caesem Menium vernatus in causa. Brut. p. 434. 437.

<sup>2</sup> Populus Romanus, L. Sulla Dictatore ferente, comitis centuriatis, municipiis civitatem ademit: ademit iisdem agros: de agris ratum est: fuit enim populi potestas: de civitate ne tamdiu quidem valuit, quamdiu illa Sullani temporis arma valuerunt. Atque ego hanc adolescentulus causam cum agerem, contra hominem disertissimum contradicente Cotta, et Sulla vivo, judicatum est. Pro Dom. ad Pontif. 30. Pro Cœcina.

<sup>3</sup> Brut. 437.

<sup>4</sup> Eusebii Chron.

<sup>5</sup> Pomponius—ita enim se Athenis collocavit, ut sit pene unus ex Atticis, et ad etiam cognomine videatur habiturus. De Fin. 5. 2.

confirmed that memorable friendship, which subsisted between them through life, with so celebrated a constancy and affection. Atticus, being an Epicurean, was often drawing Cicero from his host Antiochus to the conversation of Phædrus and old Zeno, the chief professors of that sect, in hopes of making him a convert; on which subject they used to have many disputes between themselves; but Cicero's view in these visits was but to convince himself more effectually of the weakness of that doctrine, by observing how easily it might be confuted, when explained even by the ablest teachers<sup>1</sup>. Yet he did not give himself up so entirely to philosophy, as to neglect his rhetorical exercises, which he performed still every day very diligently, with Demetrius the Syrian, an experienced master of the art of speaking<sup>2</sup>.

It was in this first journey to Athens, that he was initiated most probably into the Eleusinian mysteries: for though we have no account of the time, yet we cannot fix it better than in a voyage undertaken both for the improvement of his mind and body. The reverence with which he always speaks of these mysteries, and the hints that he has dropped of their end and use, seems to confirm what a very learned and ingenious writer has delivered of them, that they were contrived to inculcate the unity of God, and the immortality of the soul<sup>3</sup>. As for the first, after observing to Atticus, who was also one of the initiated, how the gods of the popular religions were all but deceased mortals, advanced from earth to heaven, he bids him remember the doctrine of the mysteries, in order to recollect the universality of that truth: and, as to the second, he declares his initiation to be in fact, what the name itself

From Athens he passed into Asia, where he gathered about him all the principal orators of the country, who kept him company through the rest of his voyage; and with whom he constantly exercised himself in every place, where he made any stay. "The chief of them," says he, "was Menippus of Stratonica, the most eloquent of all the Asiatics; and if to be neither tedious, nor impertinent, be the characteristic of an Attic orator, he may justly be ranked in that class: Dionysius also of Magnesia, Æschylus of Cnidos, and Xenocles of Adramyttus, were continually with me, who were reckoned the first rhetoricians of Asia: nor yet content with these, I went to Rhodes, and applied myself again to Molo, whom I had heard before at Rome; who was both an experienced pleader, and a fine writer, and particularly expert in observing the faults of his scholars, as well as in his method of teaching and improving them: his greatest trouble with me was to restrain the exuberance of a juvenile imagination, always ready to overflow its banks, within its due and proper channel'.

But as at Athens, where he employed himself chiefly in philosophy, he did not intermit his oratorical studies, so at Rhodes, where his chief study was oratory, he gave some share also of his time to philosophy with Posidonius, the most esteemed and learned stoic of that age; whom he often speaks of with honour, not only as his master, but as his friend<sup>2</sup>. It was his

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tion of Heaven, Hell, Elysium, Purgatory, and all that related to the future state of the dead; being contrived to inculcate more sensibly, and exemplify the doctrines delivered to the initiated: and as they were a proper subject for poetry, so they are frequently alluded to by the ancient poets. Cicero, in one of his letters to Atticus, begs of him, at the request of Chilias, an eminent poet of that age, to send them a relation of the Eleusinian rites, which were designed probably for an episode or embellishment to some of Chilias's works<sup>3</sup>. This confirms also the probability of that ingenious comment, which the same excellent writer has given on the sixth book of the *Æneid*, where Virgil, as he observes, in describing the descent into hell, is but tracing out, in their genuine order, the several scenes of the Eleusinian shows<sup>4</sup>.

<sup>2</sup> *Brut.* 457.

<sup>3</sup> He mentions a story of this Posidonius, which Pompey often used to tell: that after the Mithridatic war, as he was returning from Syria towards Rome, he called at Rhodes on purpose to hear him; but being informed, on his arrival there, that he was extremely ill of the gout, he had a mind however to see him; and in his visit when, after the first compliments, he began to express his concern for finding him so ill, that he could not have the pleasure to hear him, "But you can hear me," replied Posidonius, "nor shall it be said, that, on account of any bodily pain, I suffered so great a man to come to me in vain." Upon which he entered presently into an argument, as he lay upon his bed, and maintained, with great eloquence, that nothing was really good, but what was honest: and being all the while in exquisite torture, he often cried out "O pain, thou shalt never gain thy point; for be as vexatious as thou wilt, I will never own thee to be an evil." This was the perfection of stoical heroism, to defy sense and nature to the last: while another poor stoic, Dionysius, a scholar of Zeno, the founder of the sect, when, by the torture of the stone, he was forced to confess, that what his master had taught him was false, and that he felt pain to be an evil, is treated by all their writers as a poltroon and base deserter. Which shows that all their boasted firmness was owing rather to a false notion of honour and reputation, than to any real principle or conviction of reason. *Nat. Deor.* 2. 24. *De Fin.* 5. 31.

<sup>4</sup> Chilias te rogat, et ego ejus rogatu, *Εὐμολπίδῃς πατρὶς*. *Ad Att.* 1. 9.

<sup>†</sup> See *Div. Legat. of Moses*, p. 182.

constant care, that the progress of his knowledge should keep pace with the improvement of his eloquence; he considered the one as the foundation of the other, and thought it in vain to acquire ornaments, before he had provided necessary furniture; he declaimed here in Greek, because Molo did not understand Latin; and, upon ending his declamation, while the rest of the company were lavish of their praises, Molo, instead of paying any compliment, sat silent a considerable time, till observing Cicero somewhat disturbed at it, he said, "As for you, Cicero, I praise and admire you, but pity the fortune of Greece, to see arts and eloquence, the only ornaments which were left to her, transplanted by you to Rome<sup>1</sup>." Having thus finished the circuit of his travels, he came back again to Italy, after an excursion of two years, extremely improved, and changed as it were into a new man: the vehemence of his voice and action was moderated; the redundancy of his style and fancy corrected; his lungs strengthened; and his whole constitution confirmed<sup>2</sup>.

This voyage of Cicero seems to be the only scheme and pattern of travelling from which any real benefit is to be expected: he did not stir abroad, till he had completed his education at home; for nothing can be more pernicious to a nation, than the necessity of a foreign one; and after he had acquired in his own country whatever was proper to form a worthy citizen and magistrate of Rome, he went, confirmed by a maturity of age and reason against the impressions of vice, not so much to learn, as to polish what he had learnt, by visiting those places where arts and sciences flourished in their

Pompey returned about this time victorious from Africa; he had greatly enlarged the bounds of the empire, by conquest and addition of many new countries to the Roman dominion. He was received with great marks of respect by the dictator, Sylla, who went out to meet him at the head of the nobility, and saluted him by the title of *Magnus* or the Great; which, from that authority, was ever after used to him by all people. But his demand of a triumph offended both Sylla and the senate; who thought it too ambitious in one, who had passed through none of the public offices, nor was of age to be a senator, to aspire to an honour, which had never been granted, except to consuls or prætors: but Pompey, insisting on his demand, extorted Sylla's consent, and was the first whose triumphal car is said to have been drawn by elephants, and the only one of the equestrian order who had ever triumphed; which gave an unusual joy to the people, to see a man of their own body obtain so signal an honour; and much more, to see him descend again from it to his old rank and private condition among the knights<sup>1</sup>.

While Pompey, by his exploits in war, had acquired the surname of the Great, J. Cæsar, about six years younger, was giving proofs likewise of his military genius, and serving as a volunteer at the siege of Mitylene; a splendid and flourishing city of Lesbos, which had assisted Mithridates in the late war, and perfidiously delivered up to him M. Aquilius, a person of consular dignity, who had been sent ambassador to that king, and, after the defeat of the Roman army, had taken refuge in Mitylene, as in a place of the greatest security. Mithridates is said to have treated him with the last indignity; carrying him about in triumph, mounted upon an ass, and forcing him to proclaim every where aloud, that he was Aquilius, who had been the chief cause of the war. But the town now paid dear for that treachery, being taken by storm, and almost demolished, by Q. Thermus: though Pompey restored it afterwards to its former beauty and liberty, at the request of his favourite freedman, Theophanes. In this siege Cæsar obtained the honour of a civic crown; which, though made only of oaken leaves, was esteemed the most reputable badge of martial virtue; and never bestowed, but for saving the life of a citizen, and killing, at the same time, an enemy<sup>2</sup>.

<sup>1</sup> Bellum in Africa maximum confecit, victorem exercitum deportavit. Quid vero tam inauditum, quam Equitem Rom. triumphare? Pro Leg. Man. 21. Africa vero de subacta.—Magnique nomine, spolio inde capto, Eques Romanus, id quod antea nemo, ante triumphum invecus est. (Plin. Hist. Nat. 7. 26.) Romæ primum juncti elephantes subiére currum Pompeii Magni, Africano triumpho. Ib. 8. 2. Plut. in Pompeio.

<sup>2</sup> Quid Mitylenæ? quæ certe vestra, Quirites, belli lego, et victoriæ jure facta est: Urbs et natura et situ, et descriptione ædificiorum et pulchritudine imprimis no-

Sylla died while Cicero was at Athens, after he had laid down his dictatorship, and restored liberty to the Republic; and, with an uncommon greatness of mind, lived many months as a private senator, and with perfect security, in that city where he had exercised the most bloody tyranny: but nothing was thought to be greater in his character, than that, during the three years, in which the Marians were masters of Italy, he neither dissembled his resolution of pursuing them by arms, nor neglected the war which he had upon his hands; but thought it his duty first to chastise a foreign enemy, before he took his revenge upon citizens'. His family was noble and patrician, which yet, through the indolency of his ancestors, had made no figure in the republic for many generations, and was almost sunk into obscurity, till he produced it again into light, by aspiring to the honours of the state. He was a lover and patron of polite letters, having been carefully instructed himself in all the learning of Greece and Rome; but, from a peculiar gaiety of temper, and fondness for the company of mimics and players, was drawn, when young, into a life of luxury and pleasure; so that, when he was sent quæstor to Marius in the Jugurthine war, Marius complained, that, in so rough and desperate a service, chance had given him so soft and delicate a quæstor. But whether roused by the example, or stung by the reproach of his general, he behaved himself in that charge with the greatest vigour and courage, suffering no man to outdo him in any part of military duty or labour, making himself equal and familiar even to the lowest of the soldiers, and obliging them all by his good offices and his

As soon as Sylla was dead, the old dissensions, been smothered awhile by the terror of his power, broke again into a flame between the two factions, supported by the two consuls, Q. Catulus and M. Lepidus, who were wholly opposite to each other in party and interest. Lepidus resolved, at all adventures, to rescind the laws of Sylla, and recall the exiled Marians; and began to solicit the people to support him in that resolution. His attempt, though plausible, was factious and unsound, tending to overturn the present settlement of the republic, which, after its late wounds and loss of civil blood, sought nothing so much as rest and quiet, to recover a tolerable degree of strength. Catulus's father, the ablest statesman of his time, and the chief assertor of the aristocratical interests, had been condemned to die by Marius: the son, therefore, inherited his virtue, as well as principles, and was convinced by a resentment of that injury, vigorously opposed all the designs of his colleague. Finding himself unable to gain his end without arms, he retired to his government of Gaul, with intention to raise a force sufficient to subdue all opposition: where his levies and military preparations gave such umbrage to the senate, that they soon abrogated his command. Upon this he came forward into Italy, at the head of a great army, having possessed himself of Etruria without opposition, and marched in an hostile manner towards the city, to demand of a second consulship. He had with him several of the most powerful magistrates, and the good wishes of all the tribunes, as well as the authority of the Marian cause, which was a

that he freely and forwardly resumed his former employment of pleading; and after one year more spent at the bar, obtained in the next the dignity of quæstor.

Among the causes which he pleaded before his quæstorship was that of the famous comedian Roscius, whom a singular merit in his art had recommended to the familiarity and friendship of the greatest men in Rome<sup>1</sup>. The cause was this: one Fannius had made over to Roscius a young slave, to be formed by him to the stage, on condition of a partnership in the profits which the slave should acquire by acting: the slave was afterwards killed, and Roscius prosecuted the murderer for damages, and obtained, by a composition, a little farm worth about eight hundred pounds, for his particular share: Fannius also sued separately and was supposed to have gained as much; but, pretending to have recovered nothing, sued Roscius for the moiety of what he had received. One cannot but observe, from Cicero's pleading, the wonderful esteem and reputation in which Roscius then flourished, of whom he draws a very amiable picture.——“Has Roscius, then,” says he, “defrauded his partner? Can such a stain stick upon such a man? who, I speak it with confidence, has more integrity than skill, more veracity than experience: whom the people of Rome know to be a better man than he is an actor; and while he makes the first figure on the stage for his art, is worthy of the senate for his virtue<sup>2</sup>.” In another place he says of him, “that he was such an artist, as to seem the only one fit to come upon the stage; yet such a man, as to seem the only one unfit to come upon it at all<sup>3</sup>: and that his action was so perfect and admirable, that when a man excelled in any other profession, it was

ould be tempted to commit a fraud for the paltry sum of a hundred '.

At the time of Cicero's return from Greece, there reigned in the Forum two orators of noble birth and great authority, Cotta and Hortensius, whose glory inflamed him with an emulation of their virtues. Cotta's way of speaking was calm and easy, flowing with great elegance and propriety of diction: Hortensius's sprightly, elevated, and warming both by his words and actions; who being the nearer to him in age, about eight years older, and excelling in his own taste and manner, was considered by him more particularly as his pattern, or competitor rather, in glory'. The business of pleading, though a profession of all others the most laborious, yet was not mercenary, or undertaken for any pay; for it was illegal to take money, or to accept even a present for it: but the best, the greatest, and the noblest of Rome freely offered their talents to the service of their citizens, as the common guardians and protectors of the innocent and distressed'. This was a constitution as old as Romulus, who assigned the patronage of the people to the patricians or senators, without fee or reward: but, in succeeding ages, when, through the avarice of the nobles, it was become a custom for all clients to make equal presents to their patrons, by which the body of the citizens was made tributary as it were to the senate, M. Cincius, tribune, published a law, prohibiting all senators to take money or gifts on any account, and especially for pleading uses. In the contest about this law, Cicero mentions a part reply made by the tribune to C. Cento, one of the orators who opposed it; for when Cento asked him, with some scorn, "What is it, my little Cincius, that you are making all this stir about?" Cincius replied, "that you, Caius, may pay for what you use'." We must not imagine, however, that this generosity of the great was wholly disinterested, or without any expectation of fruit; for it brought the noblest which a

*Decem his annis proximis HS. sexagies honestissime consequi potuit: noluit. Pro ec. 8.*

*Duo tum excellabant oratores, qui me imitandi cupiditate incitarent, Cotta et Hortensius, &c. Brut. 440.*

*' Diserti igitur hominis, et facile laborantis, quodque in patriis est moribus, multorum ius et non gravate et gratuito defendentis, beneficia et patrocinia late patent. De leg. 2. 19.*

*' Quid legem Cinciam de donis et muneribus, nisi quia rectigalis jam et stipendiaria res esse senatui coeperat? [Liv. 34. 4.] Consurgunt Patres legemque Cinciam flammam, qua cavetur antiquitus, ne quis ob causam orandam pecuniam donumve accipiat, scit. Annal. 11. 5.] M. Cincius, quo die legem de donis et muneribus tulit, cum C. Cento prodixisset, et satis contumeliose, quid fers Cinciole? quæsisset; ut emas, inquit, i, si uti velis. Cic. de Orat. 2. 71.*

*This Cincian law was made in the year of Rome 549, and recommended to the people, Cicero tells us, by Q. Fabius Maximus, in the extremity of his age. De Senect. 4. & Pigh. Annal. tom. 2. p. 218.*

liberal mind could receive, the fruit of praise and honour from the public voice of their country ; it was the proper instrument of their ambition, and the sure means of advancing them to the first dignities of the state ; they gave their labours to the people, and the people repaid them with the honours and preferments which they had the power to bestow : this was a wise and happy constitution, where, by a necessary connexion between virtue and honour, they served mutually to produce and perpetuate each other ; where the reward of honour excited merit, and merit never failed to procure honours ; the only policy which can make a nation great and prosperous.

Thus the three orators just mentioned, according to the custom and constitution of Rome, were all severally employed this summer in suing for the different offices, to which their different age and rank gave them a right to pretend ; Cotta for the consulship, Hortensius the ædileship, Cicero the quaestorship ; in which they all succeeded : and Cicero especially had the honour to be chosen the first of all his competitors by the unanimous suffrage of the tribes ; and in the first year in which he was capable of it by law, the thirty-first of his age<sup>1</sup>.

The quaestors were the general receivers or treasurers of the Republic ; whose number had been gradually enlarged with the bounds and revenues of the empire from two to twenty, as it now stood from the last regulation of Sylla. They were sent annually into the several provinces, one with every proconsul or governor, to whom they were next in authority, and had the proper equipage of magistrates, the lictors carrying the fasces before them : which was not, however, allowed to

was laid open to the virtue and industry of every private citizen; and the dignity of this sovereign council maintained by a succession of members, whose distinguished merit had first recommended them to the notice and favour of their country<sup>1</sup>.

The consuls of this year were Cn. Octavius and C. Scribonius Curio; the first was Cicero's particular friend, a person of singular humanity and benevolence, but cruelly afflicted with the gout; whom Cicero therefore urges as an example against the Epicureans, to shew, that a life supported by innocence could not be made miserable by pain<sup>2</sup>. The second was a professed orator, or pleader at the bar, where he attained some credit, without any other accomplishment of art or nature, than a certain purity and splendour of language, derived from the institution of a father who was esteemed for his eloquence: his action was vehement, with so absurd a manner of waving his body from one side to the other, as to give occasion to a jest upon him, that he had learned to speak in a boat. They were both of them, however, good magistrates; such as the present state of the Republic required; firm to the interests of the senate, and the late establishment made by Sylla, which the tribunes were labouring by all their arts to overthrow. These consuls, therefore, were called before the people by Sicinius, a bold and factious tribune, to declare their opinion about the revocation of Sylla's acts, and the restoration of the tribunician power, which was now the only question that engaged the zeal and attention of the city: Curio spoke much against it with his usual vehemence and agitation of body; while Octavius sat by, crippled with the gout, and wrapped up in plaisters and ointments. When Curio had done, the tribune, a man of humourous wit, told Octavius,

<sup>1</sup> *Quæstura, primus gradus honoris*—[In Verr. Acc. l. 4.] *Populum Romanum, ejus honoribus in amplissimo concilio, et in altissimo gradu dignitatis, atque in hoc omnium terrarum arce collocati sumus.* [Post red. ad Sen. l.] *Ita magistratus annuos creaverunt, ut concilium senatus reip. proponerent sempiternum; deligerentur autem in id concilium ab universo populo, aditusque in illum summum ordinem omnium civium industria ac virtuti pateret.* Pro Sext. 65.

This account of the manner of filling up the senate is confirmed by many other passages of Cicero's works: for example; when Cicero was elected ædile, the next superior magistrature to the quæstor, and before his entrance into that office, he took a journey into Sicily, to collect evidence against Verres; in the account of which voyage, he says, that he went at his own charges, though a senator, into that province, where he had before been quæstor. [In Verr. l. 1. 6.] Again; when the government of Cilicia was allotted to him, he begged of young Curio, as he did of all his friends in the senate, not to suffer it to be prolonged to him beyond the year. In his absence, Curio, who, before, had been only quæstor, was elected tribune; upon which, Cicero, in a congratulatory letter to him on that promotion, taking occasion to renew his former request, says, that he asked it of him before as of a senator of the noblest birth, and a youth of the greatest interest; but now of a tribune of the people, who had the power to grant him what he asked. Epist. Fam. 2. 7.

<sup>2</sup> De Fin. 2. 28.

that he could never make amends to his colleague for service of that day; for if he had not taken such pains to drive away the flies, they would certainly have devoured him'. While Sicinius was pursuing his seditious practices, and with all endeavours to excite the people to some violence against the senate, he was killed by the management of Curio, in the tumult of his own raising'.

We have no account of the precise time of Cicero's marriage; which was celebrated most probably in the end of the preceding year, immediately after his return to Rome, when he was about thirty years old: it cannot be placed later, because his daughter was married the year before his consulship, at the age only of thirteen; though we suppose he was born this year on the fifth of August, which is mentioned to be her birth-day'. Nor is there any thing certain delivered of the family and condition of his wife Terentia; yet from her name, her great fortune, and her sister Fabia's being one of the vestal virgins, we may conclude, that she was nobly descended. This year, therefore, was particularly fortunate to him, as it brought an increase, not only of issue, but of dignity into his family, by raising it from the equestrian to the senatorian rank; and, by this early taste of popular favour, gave him a sure presage of his future advancement to the superior honours of the Republic.

## SECTION II



under one prætor, or supreme governor, S. Peducenus, yet they continued still to have, each of them, a distinct *questor*<sup>1</sup>. He received this office not as a gift, but a trust; and considered it, he says, as a public theatre, in which the eyes of the world were turned upon him; and, that he might act his part with the greater credit, resolved to devote his whole attention to it, and to deny himself every pleasure, every gratification of his appetites, even the most innocent and natural, which could obstruct the laudable discharge of it<sup>2</sup>.

Sicily was usually called the granary of the Republic<sup>3</sup>; and the *questor's* chief employment in it was, to supply corn and provisions for the use of the city: but there happening to be a peculiar scarcity this year at Rome, it made the people very clamorous, and gave the *tribunes* an opportunity of inflaming them the more easily, by charging it to the loss of the *tribunician* power, and their being left a prey by that means to the oppressions of the great<sup>4</sup>. It was necessary, therefore, to the public quiet, to send out large and speedy supplies from Sicily, by which the island was like to be drained; so that Cicero had a difficult task to furnish what was sufficient for the demands of the city, without being grievous at the same time to the poor natives; yet he managed the matter with so much prudence and address, that he made very great exportations, without any burden upon the province; shewing great courtesy all the while to the dealers, justice to the merchants, generosity to the inhabitants, humanity to the allies: and, in short, doing all manner of good offices to every body, by which he gained the love and admiration of all the Sicilians, who decreed greater honours to him, at his departure, than they had ever decreed before to any of their chief governors<sup>5</sup>. During his residence in the country, several young Romans of quality, who served in the army, having committed some great disorder and offence against martial discipline, ran away to Rome for fear of punishment; where, being seized by the magistrates, they were sent back to be tried before the prætor in Sicily: but Cicero undertook their defence, and pleaded for them so well, that he got them all acquitted<sup>6</sup>; and by that means obliged many considerable families of the city.

<sup>1</sup> *Questores utriusque provincie, qui isto prætore fuerunt.* Ib. 4.

<sup>2</sup> *Ita questor sum factus, ut mihi honorem illum non solum datum, sed etiam creditum, ut me questuramque meam quasi in aliquo terrarum orbis theatro versari existimarem; ut omnia semper quæ jucunda videntur esse, non modo his extraordinariis cupiditatibus, sed etiam ipsi nature ac necessitati denegarem.* In Verr. l. 5. 14.

<sup>3</sup> *Ille M. Cato sapiens, cellam penariam Reipublice, nutricem plebis Romanæ Siciliam nominavit.* In Verr. l. 2. 2.

<sup>4</sup> *Vid. Orat. Cotta in fragment. Sallust.*

<sup>5</sup> *Præsentem in summa caritate maximum numerum miseram: negotiatoribus comis, mercatoribus iustus, municipibus liberalis, sociis abstinentia, omnibus erum victus in omni officio diligentissimus: excogitati quidam erant a Siculis honores in me inauditi.* Pro Flacc. 26.

<sup>6</sup> *Plutarch's Life of Cic.*

In the hours of leisure from his provincial affairs, he employed himself very diligently, as he used to do at Rome, in his rhetorical studies; agreeably to the rule which he constantly inculcates, never to let one day pass without some exercise of that kind: so that, on his return from Sicily, his oratorical talents were, according to his own judgment, in their full perfection and maturity<sup>1</sup>. The country itself, famous of old for its school of eloquence, might afford a particular invitation to the revival of those studies: for the Sicilians, as he tells us, being a sharp and litigious people, and after the expulsion of their tyrants, having many controversies among themselves about property, which required much pleading, were the first who invented rules, and taught an art of speaking, of which Corax and Tysias were the first professors; an art which, above all others, owes its birth to liberty, and can never flourish but in a free air<sup>2</sup>.

Before he left Sicily, he made the tour of the island, to see every thing in it that was curious, and especially the city of Syracuse, which had always made the principal figure in its history. Here his first request to the magistrates, who were shewing him the curiosities of the place, was, to let him see the tomb of Archimedes, whose name had done so much honour to it; but, to his surprise, he perceived that they knew nothing at all of the matter, and even denied that there was any such tomb remaining: yet, as he was assured of it beyond all doubt, by the concurrent testimony of writers, and remembered the verses inscribed, and that there was a sphere with a cylinder engraved on some part of it, he would not be dissuaded from the pains of searching it out. When they had carried

ingenious citizen, if it had not been discovered to them by a native of Arpinum<sup>1</sup>." At the expiration of his year, he took leave of the Sicilians by a kind and affectionate speech, assuring them of his protection in all their affairs at Rome; in which he was as good as his word, and continued ever after their constant patron, to the great benefit and advantage of the province.

He came away extremely pleased with the success of his administration; and flattering himself, that all Rome was celebrating his praises, and that the people would readily grant him every thing that he desired: in which imagination he landed at Puteoli, a considerable port adjoining to Baïæ, the chief seat of pleasure in Italy, where there was a perpetual resort of all the rich and the great, as well for the delights of its situation, as the use of its baths and hot waters. But here, as he himself pleasantly tells the story, he was not a little mortified by the first friend whom he met; who asked him, "How long he had left Rome, and what news there?" when he answered, "That he came from the provinces." "From Africa, I suppose," says another: and upon his replying with some indignation, "No; I come from Sicily:" a third, who stood by, and had a mind to be thought wiser, said presently, "How! did you not know that Cicero was quæstor of Syracuse?" Upon which, perceiving it in vain to be angry, he fell into the humour of the place, and made himself one of the company who came to the waters. This mortification gave some little check to his ambition, or taught him rather how to apply it more successfully; "and did him more good," he says, "than if he had received all the compliments that he expected: for it made him reflect, that the people of Rome had dull ears, but quick eyes; and that it was his business to keep himself always in their sight; nor to be so solicitous how to make them hear of him, as to make them see him: so that, from this moment, he resolved to stick close to the Forum, and to live perpetually in the view of the city; nor to suffer either his porter or his sleep to hinder any man's access to him<sup>2</sup>."

At his return to Rome, he found the consul, L. Lucullus, employing all his power to repel the attempts of a turbulent tribune, L. Quinctius, who had a manner of speaking peculiarly adapted to inflame the multitude, and was perpetually exerting it, to persuade them to reverse Sylla's acts<sup>3</sup>. These acts were odious to all who affected popularity, especially to the tribunes, who could not brook with any patience the dimi-

<sup>1</sup> Tusc. Quæst. 5. 3.

<sup>2</sup> Pro Planc. 26.

<sup>3</sup> Homo cum summa potestate præditus, tum ad inflammandos animos multitudinis accommodatus. Pro Cluent. 29. Plut. in Lucull.

nation of their ancient power; yet all prudent men were desirous to support them, as the best foundation of a lasting peace and firm settlement of the Republic. The tribune Sicinius made the first attack upon them soon after Sylla's death, but lost his life in the quarrel; which, instead of quenching, added fuel to the flame; so that C. Cotta, one of the next consuls, a man of moderate principles, and obnoxious to neither party, made it his business to mitigate these heats, by mediating between the senate and the tribunes, and remitting a part of the restraint that Sylla had laid upon them, so far as to restore them to a capacity of holding the superior magistracies. But a partial restitution could not satisfy them; they were as clamorous still as ever, and thought it a treachery to be quiet, till they had recovered their whole rights; for which purpose, Quinctius was now imitating his predecessor, Sicinius, and exciting the populace to do themselves justice against their oppressors, nor suffer their power and liberties to be extorted from them by the nobles. But the vigour of Lucullus prevented him from gaining any farther advantage, or making any impression this year to the disturbance of the public peace<sup>1</sup>.

C. Verres, of whom we shall have occasion to say more hereafter, was now also prætor of the city, or the supreme administrator of justice; whose decrees were not restrained to the strict letter of the law, but formed usually upon the principles of common equity; which, while it gives a greater liberty of doing what is right, gives a greater latitude withal of doing wrong; and the power was never in worse hands, or more corruptly administered than by Verres: "For there was not a man in Italy," says Cicero, "who had a lawsuit at Rome, but

their escape, the greatest part was destroyed, and among them their general, Spartacus, fighting bravely to the last at the head of his desperate troops<sup>1</sup>. This was called the servile war, for which Crassus had the honour of an ovation; it being thought beneath the dignity of the Republic to grant a full triumph for the conquest of slaves: but to bring it as near as possible to a triumph, Crassus procured a special decree of the senate, to authorize him to wear the laurel crown, which was the proper ornament of the triumph, as myrtle was of the ovation<sup>2</sup>.

The Sertorian war happened to be finished also fortunately near the same time. The author of it, Sertorius, was bred under C. Marius, with whom he had served in all his wars, with a singular reputation, not only of martial virtue, but of justice and clemency; for though he was firm to the Marius party, he always disliked and opposed their cruelty, and advised a more temperate use of their power. After the death of Cinna, he fell into Sylla's hands, along with the consul Scipio, when the army abandoned them: Sylla dismissed him with life, on the account, perhaps, of his known moderation; yet, taking him to be an utter enemy to his cause, he soon after proscribed and drove him to the necessity of seeking his safety in foreign countries. After several attempts on Africa, and the coasts of the Mediterranean, he found a settlement in Spain, whither all who fled from Sylla's cruelty resorted to him, of whom he formed a senate, which gave laws to the whole province.—Here by his great credit and address, he raised a force sufficient to sustain a war of eight years against the whole power of the Republic; and to make it a question, whether Rome or Spain should possess the empire of the

to the support of Sertorius<sup>1</sup>: but instead of gaining what was expected from Sertorius's death, he ruined the cause, as he had made himself the chief, and put an end to a war which was wholly supported by the reputation of the general: the revolted provinces presently submitted; and the army, having no confidence in their new leader, was easily broken and dispersed, and Perperna himself taken prisoner.

Pompey is celebrated on this occasion for an act of prudence and generosity: for when Perperna, in saving his life, offered to make some important discoveries, to put into his hands all Sertorius's papers, in which were several letters from the principal senators of Rome, by which he might be enabled to bring his army into Italy, for the sake of overturning the present government, he ordered the papers to be burnt without reading them, and Perperna to be killed without sparing him<sup>2</sup>. He knew that the best way of healing the divisions of the city, where faction was perpetually at work to disturb the public quiet, was to ease people of those fears and a consciousness of guilt would suggest, rather than point to a necessity of seeking their security from a change of government and the overthrow of the state<sup>3</sup>. As he returned into Italy at the head of his victorious army, he happened to fall in with the remains of those fugitives, who, after the death of Spartacus, had escaped from Crassus, and were on their way in a body towards the Alps, whom he intercepted, and entirely cut off, to the number of five thousand; and, in a letter upon it to the senate, said, that Crassus, indeed, had defeated the gladiators, but that he had plucked up the war by the roots<sup>4</sup>. Cicero, likewise, from a particular dislike to Crassus, affected in his public speeches to give Pompey the honour of finishing this war, declaring, that the very fame of his coming had broken the force of it, and his presence extinguished it<sup>5</sup>.

<sup>1</sup> Sylla et Consulcm, ut prædiximus, exarmatumque Sertorium, prohi quanti mox belli facem! et multos alios dimisit incolumes. Vell. Pat. 2. 25. 29.

Juan Africa, jam Balearibus Insulis fortunam expertus, missusque in oceanum— tandem Hispaniam armavit. —Satis tanto hosti uno Imperatore resistere res Romana non potuit: additus Metello Cn. Pompeius. Hi copias viri diu, et ancipiti semper acie, attrivere: nec tamen prius bello, quam suorum scelere et insidiis, extinctus est. Flor. 3. 22.

Ille in tantum Sertorium armis extulit, ut per quinquennium dijudicari non potuerit, Hispani Romanive in armis plus esset roboris, et uter populus alteri pariturus foret. Vell. Pat. 2. 90.

A M. Perperna et aliis conjuratis in convivio interfectus est, octavo ducatus sui anno; magnus dux, et adversus duos Imperatores, Pompeium et Metellum, sæpe par, frequentius victor. Epit. Liv. 96. Vid. etiam Plut. in Sertorio et Pomp. Appian. p. 418.

<sup>2</sup> Plut. in Pomp. Appian. 423.

<sup>3</sup> In tanto civium numero, magna multitudo est eorum, qui propter metum pœne, peccatorum suorum consci, novos motus conversionesque Relp. quærunt. Pro Sext. 46.

<sup>4</sup> Plut. ibid.

<sup>5</sup> Quod bellum expectatione Pompeii attenuatum atque imminutum est; adventu sublatum et sepultum. Pro Leg. Manil. xl. it.—Qui etiam servitio virtute victoriaque donasset. Pro Sext. 31.

For this victory in Spain, Pompey obtained a second triumph, while he was still only a private citizen, and of the equestrian rank: but the next day he took possession of the consulship, to which he had been elected in his absence; and, as if he had been born to command, made his first entry into the senate in the proper post to preside in it. He was not yet full thirty-six years old; but the senate, by a decree, dispensed with the incapacity of his age and absence, and qualified him to hold the highest magistracy, before he was capable, by law, of pretending even to the lowest; and by his authority M. Crassus was elected also for his colleague<sup>1</sup>.

Crassus's father and elder brother lost their lives in the massacres of Marius and Cinna; but he himself escaped into Spain, and lay there concealed till Sylla's return to Italy, whither he presently resorted to him, in hopes to revenge the ruin of his fortunes and family on the opposite faction. As he was attached to Sylla's cause, both by interest and inclination, so he was much considered in it; and, being extremely greedy and rapacious, made use of all his credit to enrich himself by the plunder of the enemy and the purchase of confiscated estates, which Cicero calls his harvest. By these methods he raised an immense wealth, computed at many millions, gathered from the spoils and calamities of his country. He used to say, that no man could be reckoned rich who was not able to maintain an army out of his own rents<sup>2</sup>: and, if the accounts of antiquity be true, the number of his slaves was scarce inferior to that of a full army; which instead of being a burthen, made one part of his revenue; being all trained to some useful art or profession, which enabled them not only to support themselves,

his easy and familiar address, and a readiness to assist all who wanted either his protection or his money, acquired a great authority in all the public affairs; so that Pompey was glad to embrace and oblige him, by taking him for his partner in the consulship.

Five years were now almost elapsed, since Cicero's election to the Quæstorship; which was the proper interval prescribed by law, before he could hold the next office of tribune or ædile; and it was necessary to pass through one of these in his way to the superior dignities: he chose therefore to drop the tribunate, as being stripped of its ancient power by the late ordinance of Sylla, and began to make interest for the ædileship, while Hortensius at the same time was suing for the consulship. He had employed all this interval in a close attendance on the Forum, and a perpetual course of pleading<sup>1</sup>, which greatly advanced his interest in the city; especially when it was observed, that he strictly complied with the law, by refusing not only to take fees, but to accept even any presents, in which the generality of patrons were less scrupulous<sup>2</sup>. Yet all his orations within this period are lost; of which number were those for M. Tullius and L. Varenus, mentioned by Quintilian and Priscian, as extant in their time.

Some writers tell us, that he improved and perfected his action by the instructions of Roscius and Æsopus; the two most accomplished actors in that, or perhaps in any other age; the one in comedy, the other in tragedy<sup>3</sup>. He had a great esteem indeed for them both, and admired the uncommon perfection of their art: but though he condescended to treat them as friends, he would have disdained to use them as masters. He had formed himself upon a nobler plan, drawn his rules of action from nature and philosophy, and his practice from the most perfect speakers then living in the world; and declares the theatre to be an improper school for the institution of an orator, as teaching gestures too minute and unmanly, and labouring more about the expression of words, than of things<sup>4</sup>: nay, he laughs sometimes at Hortensius for an action too foppish and theatrical<sup>5</sup>, who used to be rallied on that very account, by the other pleaders, with the title of "the player;"

<sup>1</sup> Cum igitur essem in plurimis causis, et in principibus patronis quinquennium fere versatus. Brut. p. 440.

<sup>2</sup> Plut. Cic.

<sup>3</sup> Ibid.

<sup>4</sup> Quis neget opus esse Oratori in hoc oratorio motu, statuque. Roscii gestum?—tamen nemo suaserit studiosis dicendi adolescentibus in gestu discendo histrionum more elaborare. De Orat. L. 59. Vid. Tusc. Disp. 4. 25.

Omnes autem hos motus subsequi debet gestus: non hic verba exprimens, scenicus, sed universam rem et sententiam; non demonstratione sed significatione declarans, laterum inflectione hac forti ac virili, non ab scena et histrionibus. Ib. 3. 59.

<sup>5</sup> Putamus Patronum tuum—cerviculam jactaturum. In Verr. L. 3. 19.

so that, in the cause of P. Sylla, Torquatus, a free speaker on the other side, called him, by way of ridicule, Dionysia, an actress of those times, in great request for her dancing<sup>1</sup>. Yet Hortensius himself was so far from borrowing his manner from the stage, that the stage borrowed from him; and the two celebrated actors just mentioned, Roscius and Æsopus, are said to have attended all the trials in which he pleaded, in order to perfect the action of the theatre by that of the Forum; which seems indeed to be the more natural method of the two, that they who act in feigned life should take their pattern from the true; not those who represent the true copy from that which is feigned<sup>2</sup>. We are told, however, by others, what does not seem wholly improbable, that Cicero used to divert himself sometimes with Roscius, and make it an exercise, or trial of skill between them, which could express the same passion the most variously, the one by words, the other by gestures<sup>3</sup>.

As he had now devoted himself to a life of business and ambition, so he omitted none of the usual arts of recommending himself to popular favour, and facilitating his advancement to the superior honours. He thought it absurd, "that when every little artificer knew the name and use of all his tools, a statesman should neglect the knowledge of men, who were the proper instruments with which he was to work: he made it his business therefore to learn the name, the place, and the condition of every eminent citizen; what estate, what friends, what neighbours he had; and could readily point out their several houses, as he travelled through Italy<sup>4</sup>." This knowledge, which is useful in all popular governments, was peculiarly necessary at Rome: where the people, having much

ready to salute them all familiarly, and shake hands with them, as his particular acquaintance <sup>1</sup>.

Plutarch says, "that the use of these nomenclators was contrary to the laws; and that Cato, for that reason, in suing for the public offices, would not employ any of them, but took all that trouble upon himself <sup>2</sup>." But that notion is fully confuted by Cicero, who, in his oration for Murena, rallies the absurd rigour of Cato's stoical principles, and their inconsistency with common life, from the very circumstance of his having a nomenclator—"What do you mean," says he, "by keeping a nomenclator? The thing itself is a mere cheat: for if it be your duty to call the citizens by their names, it is a shame for your slave to know them better than yourself.—Why do you not speak to them before he has whispered you? Or, after he has whispered, why do you salute them, as if you knew them yourself? Or, when you have gained your election, why do you grow careless about saluting them at all? All this, if examined by the rules of social life, is right; but if by the precepts of your philosophy, very wicked <sup>3</sup>." As for Cicero himself, whatever pains he is said to have taken in this way, it appears from several passages in his letters, that he constantly had a nomenclator at his elbow on all public occasions <sup>4</sup>.

He was now in his thirty-seventh year, the proper age for holding the ædileship, which was the first public preferment that was properly called a magistracy; the quæstorship being an office only or place of trust, without any jurisdiction in the city, as the ædiles had <sup>5</sup>. These ædiles, as well as all the inferior officers, were chosen by the people voting in their tribes; a manner of electing of all the most free and popular: in which Cicero was declared ædile, as he was before elected quæstor, by the unanimous suffrage of all the tribes, and preferably to all his competitors <sup>6</sup>.

There were originally but two ædiles, chosen from the body of the people, on pretence of easing the tribunes of a share of

<sup>1</sup> Vid. de petitione Consulatus. xi.

Mercurius servum, qui dicet nomina: levum  
Qui fodiat latus, et cogat trans pondera dextram  
Porrigere. Hic multum in Fabia valet, ille Volina:  
Cui libet hic fascies dabit, &c.—Hor. Epist. l. 6.

<sup>2</sup> Plut. in Cato.

<sup>3</sup> Pro Murena, 36.

<sup>4</sup> Ut nemo nullius ordinis homo nomenclatori notus fuerit, qui mihi obviam non venerit. Ad Att. 4. 1.

<sup>5</sup> This will explain what Cicero says above of Pompey's entering upon the consulship, at an age when he was incapable even of the lowest magistracy. But, though strictly speaking, the ædileship was the first which was called a magistracy: yet Cicero himself, and all the old writers, give the same title also to the tribunate and quæstorship.

<sup>6</sup> Me cum quæstorem in primis, ædilem priorem—cunctis suffragis populus Romanus faceret. In Pison. 1.

their trouble : whose chief duty, from which the name itself was derived, was to take care of the edifices of the city ; and to inspect the markets, weights, and measures ; and regulate the shows and games, which were publicly exhibited on the festivals of their gods<sup>1</sup>. The senate afterwards, taking an opportunity when the people were in good humour, prevailed to have two more created from their order, and of superior rank, called curule ædiles, from the arm-chair of ivory, in which they sat<sup>2</sup>. But the tribunes presently repented of their concession, and forced the senate to consent, that these new ædiles should be chosen indifferently from the patrician or plebeian families<sup>3</sup>. But whatever difference there might be at first between the curule and plebeian ædiles, their province and authority seem, in later times, to be the same, without any distinction but what was nominal ; and the two, who were chosen the first, were probably called the curule ædiles, as we find Cicero to be now styled. This magistracy gave a precedence in the senate, or a priority of voting and speaking next after the consuls and prætors ; and was the first that qualified a man to have a picture or statue of himself, and consequently ennobled his family<sup>4</sup> : for it was from the number of these statues of ancestors, who had borne curule offices, that the families of Rome were esteemed the more or less noble.

After Cicero's election to the ædileship, but before his entrance into office, he undertook the famed prosecution of C. Verres, the late prætor of Sicily, charged with many flagrant acts of injustice, rapine, and cruelty, during his triennial government of that island. And since this was one of the

pretended enemy was in reality a secret friend, employed by Verres himself, to get the cause into his hands, in order to betray it: his pretensions, however, were to be previously decided by a kind of process called divination, on account of its being wholly conjectural; in which the judges, without the help of witnesses, were to divine, as it were, what was fit to be done: but in the first hearing Cicero easily shook off this weak antagonist, rallying his character and pretensions with a great deal of wit and humour, and showing, that the proper patron of such a cause could not be one who offered himself forwardly, but who was drawn to it unwillingly from the moral sense of his duty; one whom the prosecutors desired, and the criminal dreaded; one qualified by his innocence, as well as experience, to sustain it with credit; and whom the customs of their ancestors pointed out and preferred to it. In this speech, after opening the reasons why, contrary to his former practice, and the rule which he had laid down to himself, of dedicating his labours to the defence of the distressed, he now appeared as an accuser, he adds, "the provinces are utterly undone; the allies and tributaries so miserably oppressed, that they have lost even the hopes of redress, and seek only some comfort in their ruin: those who would have the trials remain in the hands of the senate, complain, that there are no men of reputation to undertake impeachments, no severity in the judges: the people of Rome, in the meanwhile, though labouring under many other grievances, yet desire nothing so ardently as the ancient discipline and gravity of trials. For the want of trials, the tribunician power is called for again; for the abuse of trials, a new order of judges is demanded: for the

senate, but in a foreign language, and to talk Greek as Grecians<sup>1</sup>. But Cicero answered him with such spirit and resolution, urging the sanction of the laws, and the penalty contemning them, that the prætor was forced at last to let him carry away all the vouchers and records which he required<sup>2</sup>.

But the city of Messina continued obstinate to the last, and firm in its engagements with Verres; so that when Cicero came thither, he received no compliments from the magistrates, no offer of refreshments or quarters; but was left to shift for himself, and to be taken care of by private friends. An indignity, he says, which had never been offered before to a senator of Rome; whom there was not a king or city upon earth, that was not proud to invite and accommodate with a lodging. But he mortified them for it severely at the trial, and threatened to call them to an account before the senate, as for an affront of the whole order<sup>3</sup>. After he had finished his business in Sicily, having reason to apprehend some danger in returning home by land, not only from the robbers, who infested all those roads, but from the malice and contrivance of Verres, he chose to come back by sea, and arrived at Rome, to the surprise of his adversaries, much sooner than he was expected<sup>4</sup>, and full charged with most manifest proofs of Verres' guilt.

On his return he found, what he suspected, a strong cabal formed to prolong the affair by all the arts of delay which interest or money could procure<sup>5</sup>, with design to throw it off, at least to the next year, when Hortensius and Metellus were to be consuls, and Metellus's brother a prætor, by whose united authority the prosecution might easily be baffled: and they had already carried the matter so far, that there was not time enough left within the current year to go through the

ect, of shortening the method of the proceeding<sup>1</sup>, so as  
ing it to an issue, at any rate, before the present prætor  
Fabio and his assessors, who were like to be equal<sup>2</sup>.  
Instead, therefore, of spending any time in speak-  
employing his eloquence, as usual, in enforcing and  
ating the several articles of the charge, he resolved to do  
more than produce his witnesses, and offer them to be  
ated: when the novelty of the thing, and the notoriety  
uilt, which appeared, at once, from the very recital of  
sitions, so confounded Hortensius, that he had nothing  
r his client; who, despairing of all defence, submitted,  
expecting the sentence, to a voluntary exile<sup>3</sup>.

this account it appears, that of the seven excellent  
which now remain on the subject of this trial, the  
only were spoken, the one called the Divination, the  
First Action, which is nothing more than a general  
to the whole cause: the other five were published  
ls, as they were prepared and intended to be spoken,  
had made a regular defence; for as this was the only  
which Cicero had yet been engaged, or ever designed  
aged, as an accuser, so he was willing to leave these  
as a specimen of his abilities in that way, and the  
f a just and diligent impeachment of a great and cor-  
istrate<sup>4</sup>.

first contest with Cæcilius, he estimates the damage of  
ians at above eight hundred thousand pounds<sup>5</sup>; but this  
mputation at large, before he was distinctly informed of  
; for after he had been in Sicily, and seen what the  
tually amounted to, he charges them at somewhat less  
that sum<sup>6</sup>; and though the law, in these causes, gave  
amages, yet no more seems to have been allowed in  
the single sum; which gave occasion, as Plutarch  
, to a suspicion of some corruption, or connivance in  
or suffering so great an abatement of the fine: but if  
any abatement at all, it must needs have been made  
nsent of all parties, out of regard, perhaps, to Verres'

unimo consilio videtur in Verrem vel contrahere tempora dicendi maluisse,  
annum, quo erat Q. Hortensius consul futurus, incidere. Quintil. 6. 5.  
tum est non committere, ut in hac causa prætor nobis consiliumque mutetur.

hoc—ut utar testibus statim. Ib.—Sed tantummodo citaret testes—et eos  
terrogandos daret: qua arte ita est fatigatus Hortensius, ut nihil, contra quod  
eniret: ipse etiam Verres, desperato patrocinio, sua sponte discederet in  
rguin. Asconii in Act. 1.

is orationibus defensor futurus, accusationis officium his libris, qui Verrina-  
nuncupantur, compensare decrevit: et—in una causa vim hujus artis et elo-  
onstrare. Ascon. Argum. in Lib. et in Verr.

nine abs te, C. Verres, sestertium millies ex lege repeto. Divin. in Cæcil. 5.  
C. Verrem—quadringenties sestertium ex Sicilia contra leges abstulisse.

submission, and shortening the trouble of the prosecution; it is certain, that so far from leaving any imputation of any sort upon Cicero, it highly raised the reputation, both of his abilities and integrity, as of one, whom neither money could bribe nor power terrify, from prosecuting a public oppressor; and the Sicilians ever after retained the highest sense of his services, and on all occasions, testified the utmost zeal for his person and interests.

From the conclusion of these orations, we may observe, that Cicero's vigour in this cause had drawn upon him the envy and ill-will of the nobility: which was so far, however, from moving him, that, in open defiance of it he declares, "that the nobles were natural enemies to the virtue and industry of all new men; and, as if they were of another race and species, could never be reconciled or induced to favour them, by any observance, or good offices whatsoever; that, for his part, therefore, like many others before him, he would pursue his own course, and make his way to the favour of the people, and the honours of the state, by his diligence and faithful services, without regarding the quarrels to which he might expose himself.—That if, in this trial, the judges did not answer the good opinion which he had conceived of them, he was resolved to prosecute, not only those who were actually guilty of corruption: but those too who were privy to it; and if any should be so audacious as to attempt, by power or artifice, to influence the bench, and screen the criminal, he would call him to answer for it before the people, and show himself more vigorous in pursuing him, than he had been even in prosecuting Verres!"

But, before I dismiss the cause of Verres, it will not be improper to add a short account of some of his principal

accusation was divided into four heads: 1. Of corrupting causes; 2. Of extortion in collecting the tithes dues of the Republic; 3. Of plundering the subjects statues and wrought plate, which was his peculiar Of illegal and tyrannical punishments. I shall give one or two of each from the great number that Cicero told, which yet, as he tells us, was but a small extract infinitely greater, of which Verres had been actually

as not an estate in Sicily, of any considerable value, been disposed of by will for twenty years past, Verres had not his emissaries at work to find some flaw, or some omission in executing the conditions of it; as a ground of extorting money from the heir. Dio, a man of eminent quality, was in quiet possession of an inheritance, left to him by the will of a relative, who had enjoined him to erect certain statues in the city, on the penalty of forfeiting the estate to the public. The statues were erected according to the law; yet Verres, having found some little pretence for a pretence, he had procured an obscure Sicilian, one of his own issue for the estate in the name of Venus; and when he was brought before him, forced Dio to compound for about nine thousand pounds, and to yield to him a fine breed of mares, with all the valuable plate and furniture of his house.

Quintus, an eminent citizen of Halicarnassus, had been accused by the late prætor, C. Sacerdos, of a capital crime, of which he was honourably acquitted; but when Verres succeeded to the government, the prosecutors renewed their accusation, and brought him to a second trial before their new prætor, which Sopater, trusting to his innocence, and the character of Sacerdos, readily submitted without any apprehension. After one hearing, the cause was adjourned, and Archides, the freedman and principal agent of Verres, came to Sopater, and admonished him, as a friend, not to rely too much on the goodness of his cause, and his resolution, for that his adversaries had resolved to persevere to the prætor, who would rather take it for saving a criminal, and was unwilling likewise to reverse the sentence of his predecessor. Sopater, surprised at this, and not knowing what answer to make, promised to consider of it; but declared himself unable to advance any

—de quo multis primariis viris testibus satisfactum est. H-S undecies e, ut eam causam, in qua ne tenuissima quidem suspicio posset esse, ito iaceret: præterea greges nobilissimarum equarum abactus. argenti venditi quod fuerit esse direptum. In Verr. l. 2. 7.

large sum. Upon consulting his friends, they all advised him to take the hint, and make up the matter; so that, in the second meeting with Timarchides, after alleging his particular want of money, he compounded the money for about seven hundred pounds, which he paid down upon the spot'. He now took all his trouble to be over: but, after another hearing, the cause was still adjourned; and Timarchides came again to let him know, that his accusers had offered a much larger sum than what he had given, and advised him, if he was wise, to consider well what he had to do. But Sopater, provoked by a proceeding so impudent, had not the patience even to hear Timarchides, but flatly told him, that they might do what they pleased, for he was determined to give no more. All his friends were of the same mind, imagining, that whatever Verres himself might intend to do, he would not be able to draw the other judges into it, being all men of the first figure in Syracuse, who had judged the same cause already, with the late prætor, and acquitted Sopater. When the third hearing came on, Verres ordered Petilius, a Roman knight, who was one of the bench, to go and hear a private cause, which was appointed for that day, and of which he was likewise the judge. Petilius refused, alleging that the rest of his assessors would be engaged in the present trial. But Verres declared, that they might all go with him too if they pleased, for he did not desire to detain them; upon which they all presently withdrew, some to sit as judges, and some to serve their friends in the other cause. Minucius, Sopater's advocate, seeing the bench thus cleared, took it for granted, that Verres would not proceed in the trial that day, and was going out of the court, along

times by his clerk Timarchides, he commanded Sopater to speak what he had to say in his own defence. Sopater implored him, by all the gods, not to proceed to sentence till the rest of the judges could be present; but Verres called for the witnesses, and, after he had heard one or two of them, in a summary way, without their being interrogated by any one, put an end to the trial, and condemned the criminal<sup>1</sup>.

Among the various branches of Verres' illegal gains, the sale of offices was a considerable article; for there was not a magistracy of any kind to be disposed of, either by lot or a free vote, which he did not arbitrarily sell to the best bidder. The priesthood of Jupiter, at Syracuse, was of all others the most honourable: the method of electing into it was to choose three by a general vote out of three several classes of the citizens, whose names were afterwards cast into an urn, and the first of them that was drawn out obtained the priesthood. Verres had sold it to Theomnastus, and procured him to be named in the first instance among the three: but as the remaining part was to be decided by lot, people were in great expectation to see how he would manage that which was not so easily in his power. He commanded, therefore, in the first place, that Theomnastus should be declared priest, without casting lots; but when the Syracusians remonstrated against it; as contrary to their religion, and the law, he called for the law, which ordered, "that as many lots should be made as there were persons nominated, and that he, whose name came out the first, should be the priest." He asked them, "How many were nominated?" they answered, "Three;"—"And what more then," says he, "is required by the law, than that three lots should be cast, and one of them drawn out?" They answered, "Nothing:" upon which he presently ordered three lots, with Theomnastus's name upon every one of them, to be cast into the urn, and so, by drawing out any one, the election was determined in his favour<sup>2</sup>.

The tenth of the corn of all the conquered towns in Sicily belonged to the Romans, as it had formerly done to their own princes, and was always gathered in kind, and sent to Rome: but as this was not sufficient for the public use, the prætors had an appointment also of money from the treasury for the current year. Now the manner of collecting and ascertaining the

<sup>1</sup> Tum repente iste testes citari jubet. Dicit unus et alter breviter. Nihil interrogatur. Præco dixisse pronuntiat. Iste—propeans de sella exiit: hominem innocentem, a C. Sacerdote absolutum, indicta causa, de sententia scribæ, medici, haruspiciæque condemnavit. lb. 30.

<sup>2</sup> Numquid igitur oportet nial tres sortis conjici, unam educi? Nihil. Conjici jubet tres, in quibus omnibus scriptum esset nomen Theomnasti. Fit clamor maximus—ita Jovis illud sacerdotium amplissimum per hanc rationem Theomnasto datur. lb. 31.

quantity of tithes, was settled by an old law of king Hiero, the most moderate and equitable of all their ancient tyrants; but Verres, by a strange sort of edict, ordered, that the owner should pay whatever the collector demanded; but if he exacted more than his due, that he should be liable to a fine of eight times the value<sup>1</sup>. By this edict, he threw the property, as it were of the island, into the power of his officers, to whom he had farmed out the tithes: who, in virtue of the new law, seized into their hands the whole crop of every town, and obliged the owners to give them whatever share of it, or composition in money, they thought fit; and if any refused, they not only plundered them of all their goods, but even tortured their persons, till they had forced them to a compliance<sup>2</sup>. By this means, Verres having gathered a sufficient quantity of corn from the very tithes, to supply the full demands of Rome, put the whole money, that he had received from the treasury, into his own pocket<sup>3</sup>; and used to brag, that he had got enough from this single article to screen him from any impeachment: and not without reason, since one of his clerks, who had the management of this corn-money, was proved to have got above ten thousand pounds from the very fees which were allowed for collecting it<sup>4</sup>. The poor husbandmen, in the mean time, having no remedy, were forced to run away from their houses, and desert the tillage of the ground; so that from the registers, which were punctually kept in every town, of all the occupiers of arable lands in the island, it appeared, that, during the three years government of Verres, above two-thirds of the whole number had entirely deserted their farms,

soothsayer, and Valerius his crier; to whom he usually  
all disputes, in which he had any interest. Scandilius  
to have them named out of the magistrates of Sicily,  
the matter should be referred to Rome: but Verres  
d, that he would not trust a cause, in which his own re-  
n was at stake, to any but his own friends; and when  
lius refused to produce his proofs before such arbitra-  
erres condemned him in the forfeiture of his wager  
was forty pounds, to Apronius<sup>2</sup>.

Heius was the principal citizen of Messana, where he  
very splendidly in the most magnificent house of the  
id used to receive all the Roman magistrates with great  
lity. He had a chapel in his house, built by his an-  
, and furnished with certain images of the gods, of  
ble sculpture, and inestimable value. On one side  
Cupid, of marble, made by Praxiteles: on the other,  
cules of brass, by Myron; with a little altar before each  
to denote the religion and sanctity of the place. There  
likewise two other figures, of brass, of two young women,  
Canephoræ, with baskets on their heads, carrying things  
for sacrifice, after the manner of the Athenians—the  
of Polycletus. These statues were an ornament not  
Heius, but to Messana itself, being known to every  
t Rome, and constantly visited by all strangers, to whom  
s house was always open. The Cupid had been bor-  
by C. Claudius, for the decoration of the Forum in his  
up, and was carefully sent back to Messana; but Verres,  
e was Heius's guest, would never suffer him to rest, till  
stript his chapel of his gods, and the Canephoræ; and,  
r the act from an appearance of robbery, forced Heius

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to enter them into his accounts, as if they had been sold to him for fifty pounds; whereas, at a public auction in Rome, as Cicero says, they had known one single statue of brass, of a moderate size, sold, a little before, for a thousand<sup>l</sup>. Verres had seen, likewise, at Heius's house, a suit of curious tapestry, reckoned the best in Sicily, being of the kind which was called Attalic, richly interwoven with gold: this he resolved also to extort from Heius, but not till he had secured the statues. As soon, therefore, as he left Messana, he began to urge Heius, by letters, to send him the tapestry to Agrigentum, for some particular service which he pretended; but, when he had once got it into his hands, he never restored it<sup>l</sup>. Now Messana, as it is said above, was the only city of Sicily that persevered to the last in the interest of Verres; and, at the time of the trial, sent a public testimonial in his praise, by a deputation of its eminent citizens, of which this very Heius was the chief. Yet, when he came to be interrogated, and cross-examined by Cicero, he frankly declared, that, though he was obliged to perform what the authority of his city had imposed upon him, yet that he had been plundered by Verres of his gods, which were left to him by his ancestors, and which he never would have parted with, on any conditions whatsoever, if it had been in his power to keep them<sup>l</sup>.

Verres had in his family two brothers, of Cilicia, the one a painter, the other a sculptor, on whose judgment he chiefly relied, in his choice of pictures and statues, and all other pieces of art. They had been forced to fly from their country, for robbing a temple of Apollo, and were now employed to hunt out every thing that was curious and valuable in Sicily, who

with orders to bring two silver cups also, which he was to have, adorned with figures in relief, to be shown to prætor. Pamphilus, for fear of greater mischief, took up cups, and carried them away himself: when he came to the æ, Verres happened to be asleep, but the brothers were sitting in the hall, and waiting to receive him; who, as soon as they saw him, asked for the cups, which he accordingly produced. They commended the work; whilst he, with a sorrowful face, began to complain, that if they took his cups from him, he should have nothing, of any value, left in his æ. The brothers, seeing his concern, asked how much he would give to preserve them; in a word, they demanded forty talents; he offered twenty: but while they were debating, Verres awakened, and called for the cups; which being presently shown to him, the brothers took occasion to observe, that they did not answer to the account that had been given of them, but were but of paltry work, not fit to be seen among his æ: to whose authority Verres readily submitted, and so Pamphilus saved his cups<sup>1</sup>.

In the city of Tyndaris there was a celebrated image of Mercury, which had been restored to them from Carthage by Scipio, and was worshipped by the people with singular devotion, and an annual festival. This statue Verres resolved to take down, and commanded the chief magistrate, Sopater, to see it taken down, and conveyed to Messana. But the people were so inflamed and mutinous upon it, that Verres did not persist in his demand at that time; but when he was leaving the place, renewed his orders to Sopater, with severe threats, to see his command executed. Sopater proposed the matter to the senate, who universally protested against it: in short, Verres returned to the town, and inquired for the statue; but was told by Sopater, that the senate would not suffer it to be taken down, and had made it capital for any one to meddle with it without their orders. "Do not tell me," says Verres, "of your senate, and your orders; if you do not presently deliver the statue, you shall be scourged to death with rods." Sopater, with tears, renewed the affair again to the senate, and related the prætor's threats; but in vain; they broke up in disorder, without giving any answer. This was reported by Sopater to Verres, who was sitting in his tribunal: it was the midst of winter, the weather extremely cold, and it rained very heavily, when Verres ordered Sopater to be stripped, and carried into the

<sup>1</sup> Cibyrate sunt fratres—quorum alterum fingere opinor e cera voluit esse, alterum e pictorem.—Canes venaticos diceres, ita odorabantur omnia, et pervestigabant. In *rr.* 4. 13.

Memini Pamphilum Lilybætanum—mihi narrare, cum iste ab sese hydriam Boethianam factam, præclaro opere et grandi pondere, per potestatem abstulisset: se sane trientem et conturbatum domum revertisse, &c. *Ib.* 14.

market-place, and there to be tied upon an equestrian statue of C. Marcellus, and exposed, naked as he was, to the rain, and the cold, and stretched, in a kind of torture, upon the brass horse; where he must necessarily have perished, if the people of the town, out of compassion to him, had not forced the senate to grant the Mercury to Verres<sup>1</sup>.

Young Antiochus, king of Syria, having been at Rome, to claim the kingdom of Egypt, in right of his mother, passed through Sicily, at this time, on his return home, and came to Syracuse; where Verres, who knew that he had a great treasure with him, received him with a particular civility; made him large presents of wine, and all refreshments for his table, and entertained him most magnificently at supper. The king, pleased with this compliment, invited Verres, in his turn, to sup with him, when his side-board was dressed out in a royal manner, with his richest plate, and many vessels of solid gold, set with precious stones, among which there was a large jug of wine, made out of an entire gem, with a handle of gold to it. Verres greedily surveyed and admired every piece, and the king rejoiced to see the Roman prætor so well satisfied with his entertainment. The next morning, Verres sent to the king, to borrow some of his choicest vessels, and, particularly the jug, for the sake of shewing them, as he pretended, to his own workmen; all which the king, having no suspicion of him, readily sent. But, besides these vessels of domestic use, the king had brought with him a large candlestick, or branch for several lights, of inestimable value, all made of precious stones, and adorned with the richest jewels, which he had designed for an offering to Jupiter Capitoianus; but finding the request of

therefore, to go away, and leave it with him. Several days passed, and the king heard nothing from Verres; so that he thought proper to remind him, by a civil message, of sending back the vessels: but Verres ordered the servants to call again some other time. In short, after a second message, with no better success, the king was forced to speak to Verres himself: upon which Verres earnestly entreated him to make him a present of the candlestick. The king affirmed it to be impossible, on the account of his vow to Jupiter, to which many nations were witnesses. Verres then began to drop some threats; but, finding them of no more effect than his entreaties, he commanded the king to depart, instantly, out of his province, declaring, that he had received intelligence of certain pirates, who were coming, from his kingdom, to invade Sicily. The poor king, finding himself thus abused, and robbed of his treasure, went into the great square of the city, and, in a public assembly of the people, calling upon the gods and men to bear testimony to the injury, made a solemn dedication to Jupiter of the candlestick, which he had vowed and designed for the Capitol, and which Verres had, forcibly, taken from him<sup>1</sup>.

When any vessel, richly laden, happened to arrive in the ports of Sicily, it was generally seized by his spies and informers, on pretence of its coming from Spain, and being filled with Sertorius's soldiers; and, when the commanders exhibited their bills of lading, with a sample of their goods, to prove themselves to be fair traders, who came from different quarters of the world, some producing Tyrian purple, others Arabian spices, some jewels and precious stones, others Greek wines and Asiatic slaves; the very proof, by which they hoped to save themselves, was their certain ruin: Verres declared their goods to have been acquired by piracy, and seizing the ships, with their cargoes, to his own use, committed the whole crew to prison, though the greatest part of them, perhaps, were Roman citizens. There was a famous dungeon in Syracuse, called the Latomise, of a vast and horrible depth, dug out of a solid rock, which, having originally been a quarry of stone, was converted to a prison by Dionysius, the tyrant. Here Verres kept great numbers of Roman citizens in chains, whom he had first injured to a degree that made it necessary to destroy them; whence few or none ever saw the light again: but were commonly strangled by his orders<sup>2</sup>.

One Gavius, however, a Roman citizen of the town of *Canusium*

<sup>1</sup> Rex maximo conventu Syracusis in foro—frens, ac Deus humilitatem  
clauso caput, candelabrum factum e gemmis, quod in Capitolium. *ut*  
ut C. Verrem abstulisse.—Id etsi antea jam mente et cogitatione  
tunc tam ac in illo conventu civium Romanorum dare. *domum* *du*  
Opt. Max. &c. *Ib.* 28, 29.

<sup>2</sup> Quaecunque navis ex Asia—venerat, statim certis indicibus

happened to escape from this dreadful place, and ran away to Messana: where, fancying himself out of danger, and being ready to embark for Italy, he began to talk of the injuries which he had received, and of going straight to Rome, where Verres should be sure to hear of him. But he might as well have said the words in the prætor's palace, as at Messana: for he was presently seized, and secured till Verres' arrival, who coming thither soon after, condemned him as a spy of the fugitives, first to be scourged in the market-place, and then nailed to a cross, erected for the purpose, on a conspicuous part of the shore, and looking towards Italy, that the poor wretch might have the additional misery of suffering that cruel death in sight as it were, of his home<sup>1</sup>.

The coasts of Sicily being much infested by pirates, it was the custom of all prætors to fit out a fleet every year, for the protection of its trade and navigation. This fleet was provided by a contribution of the maritime towns, each of which usually furnished a ship with a certain number of men and provisions. but Verres, for a valuable consideration, sometimes remitted the ship, and always discharged as many of the men as were able to pay for it. A fleet, however, was equipped, of seven ships; but for show rather than service, without their complement, either of men or stores, and wholly unfit to act against an enemy; and the command of it was given by him, not to his quæstor, or one of his lieutenants, as it was usual, but to Cleomenes, a Syracusan, whose wife was his mistress, that he might enjoy her company the more freely at home, while his husband was employed abroad. For, instead of spending the

The fleet, in the mean time, sailed out of Syracuse, in great pomp, and saluted Verres and his company as it passed: when the Roman prætor, says Cicero, who had not been seen before for many days, showed himself at last to the sailors standing on the shore in slippers, with a purple cloak and vest flowing down to his heels, and leaning on the shoulder of a girl, to view this formidable squadron<sup>1</sup>: which instead of scouring the seas, sailed no farther, after several days, than into the port of Pachynus. Here as they lay peaceably at anchor, they were surprised with an account of a number of pirate frigates, lying in another harbour very near to them: upon which the admiral Cleomenes cut his cables in a great fright, and with all the sail that he could make, fled away towards Pelorus, and escaped to land: the rest of the ships followed him as fast as they could; but two of them, which sailed the slowest, were taken by the pirates, and one of the captains killed: the other captains quitted their ships, as Cleomenes had done, and got safe to land. The pirates, finding the ships deserted, set fire to them all that evening, and the next day sailed boldly into the port of Syracuse, which reached into the very heart of the town; where, after they had satisfied their curiosity, and filled the city with a general terror, they sailed out again at leisure, and in good order, in a kind of triumph over Verres, and the authority of Rome<sup>2</sup>.

The news of a Roman fleet burnt, and Syracuse taken by pirates, made a great noise through all Sicily. The captains, in excuse of themselves, were forced to tell the truth, that their ships were scandalously unprovided with victuals and stores, and in no condition to face an enemy: some of them relating how many of their sailors had been put to death by Verres' particular orders, on whom the whole blame was laid. When this came to his ears, he sent for them, and after threatening them very severely for their want of manner, forced them to declare, and to testify that every one of their ships had its full complement of things necessary: but finding, after a while, that they

here. Regular meetings were held at the N. Y. Public Library, and the monthly lectures were given by the following:—Charles Carroll Roman, *Ch. Carroll Roman*; Samuel May, *Samuel May*; John Wilson, *John Wilson*;—New York Convention, *New York Convention*; Proceedings of the Convention, *Proceedings of the Convention*;—Barnard, *Barnard*—each speaker was followed by a discussion.

[illegible]

Questions are asked about the use of language before our eyes, and suggest that the language we choose to use is not only elegant and expressive, but also a reflection of the person we are presenting to the world.

\* Tunc propter illam causam H. et al. per nos in iudicio  
sub prelo positi sunt. Illi autem, qui in iudicio  
propter illam causam sub prelo positi sunt, non sunt

of stifling the clamour, and that it would necessarily reach Rome, he resolved, for the extenuation of his own crime, to sacrifice the poor captains, and put them all to death, except the admiral Cleomenes, the most criminal of them all, and, at his request, the commander also of his ship. In consequence of this resolution, the four remaining captains, after fourteen days from the action, when they suspected no danger, were arrested, and clapt into irons. They were all young men, of the principal families of Sicily, some of them the only sons of aged parents, who came presently, in great consternation, to Syracuse, to solicit the prætor for their pardon. But Verres was inexorable; and having thrown them into his dungeon, where nobody was suffered to speak with them, condemned them to lose their heads; whilst all the service that their unhappy parents could do for them, was to bribe the executioner to dispatch them with one stroke, instead of more, which he brutally refused to do, unless he was paid for it, and to purchase of Timarchides, the liberty of giving them burial<sup>1</sup>.

It happened, however, before this loss of the fleet, that a single pirate ship was taken by Verres' lieutenants, and brought into Syracuse; which proved to be a very rich prize, and had on board a great number of handsome young fellows. There was a band of musicians among them, whom Verres sent away to Rome, a present to a friend; and the rest, who had either youth or beauty, or skill in any art, were distributed to his clerks and dependents, to be kept for his use; but the few who were old and deformed, were committed to the dungeon, and reserved for punishment<sup>2</sup>. The captain of these pirates had long been a terror to the Sicilians: so that they were all

took this opportunity therefore to clear the dungeon of those Roman citizens, whom he had reserved for such an occasion, and now brought out to execution as a part of the piratical war: but to prevent the imprecations and cries, which citizens used to make of their being free Romans, and to hinder their being known also to any other citizens there present, he produced them all with their heads and faces so muffled up, that they could neither be heard nor seen, and in that cruel manner destroyed great numbers of innocent men<sup>1</sup>. But to finish at last this whole story of Verres: After he had lived many years in a miserable exile, forgotten and deserted by all his friends, he is said to have been relieved by the generosity of Cicero<sup>2</sup>; but was proscribed and murdered after all by Marc Antony, for the sake of his fine statues and Corinthian vessels, which he refused to part with<sup>3</sup>: "happy only," as Lactantius says, before his death, to have seen the more deplorable end of his old enemy and accuser, Cicero<sup>4</sup>."

But neither the condemnation of this criminal, nor the concessions already made by the senate, were able to pacify the discontents of the people: they demanded still, as loudly as ever, the restoration of the tribunician power, and the right of judicature to the equestrian order; till, after various contests and tumults, excited annually on that account by the tribunes, they were gratified this year in them both; in the first by Pompey the consul, in the second by L. Cotta, the prætor<sup>5</sup>. The tribunes were strenuously assisted in all this struggle by J. Cæsar<sup>6</sup>, and as strenuously opposed by all who wished well to the tranquillity of the city; for long experience had shown, that they had always been, not only the chief disturbers of the public peace, by the abuse of their extravagant power, but the constant tools of all the ambitious, who had any designs of advancing themselves above the laws<sup>7</sup>: for, by corrupting one or more of the tribunes, which they were sure to effect by paying their full price, they could either obtain from the people whatever they wanted, or obstruct at least whatever should be attempted against them: so that this act was generally disliked by the better sort, and gave a suspicion of no good intentions in Pompey; who, to remove all jealousies

<sup>1</sup> Archipiratarum ipsum vidit nemo—cum omnes, ut mos est, concurrerent, quererent, videre cuperent, &c. (ib. 26.) Cum maximus numerus deesset, tum iste in eorum locum, quos domum suam de piratis abduxerat, substituere cepit cives Romanos, quos in carcerem antea conjecerat—Itaque alii cives Romani ne cognoscerentur, capitibus obvolutis e carcere ad palum atque necem rapiabantur, &c. Ib. 28, &c.

Quid de multitudine dicemus eorum, qui capitibus involutis in paratarum captivorumque numero producebantur, ut securi ferirentur? Ib. 60.

<sup>2</sup> Seneca. l. 6. Suasor. 6.

<sup>3</sup> Plin. Hist. R. l. 34. 2.

<sup>4</sup> Lactan. 2. 4.

<sup>5</sup> Hoc consulatu Pompeius tribuniciam potestatem restituit cujus imaginem Sylla sine re reliquerat. Veil. Pat. 2. 30.

<sup>6</sup> Auctores restituendæ tribunicie potestatis enixissime juvit. Sueton. J. Cæs. 5.

<sup>7</sup> De Leg. 2. 9.

against him, on this, or any other account, voluntarily took an oath, that, on the expiration of his consulship, he would accept no public command or government, but content himself with the condition of a private senator<sup>1</sup>.

Plutarch speaks of this act, as the effect of Pompey's gratitude to the people, for the extraordinary honours which they had heaped upon him; but Cicero makes the best excuse for it, after Pompey's death, which the thing itself would bear, by observing, that a statesman must always consider not only what is best, but what is necessary to the times; that Pompey well knew the impatience of the people; and that they would not bear the loss of the tribunician power much longer; and it was the part, therefore, of a good citizen, not to leave to a bad one, the credit of doing what was too popular to be withstood<sup>2</sup>. But whatever were Pompey's views, in the restitution of this power, whether he wanted the skill or the inclination to apply it to any bad purpose, it is certain, that he had cause to repent of it afterwards, when Cæsar, who had a better head, with a worse heart, took advantage of it, to his ruin; and, by the help of the tribunes, was supplied both with the power and the pretext for overturning the Republic<sup>3</sup>.

As to the other dispute, about restoring the right of judging to the knights, it was thought the best way of correcting the insolence of the nobles, to subject them to the judicature of an inferior order, who, from a natural jealousy and envy towards them, would be sure to punish their oppressions with proper severity. It was ended, however, at last, by a compromise, and a new law was prepared, by common consent, to vest this power jointly in the senators and the knights; from each of

and Cn. Lentulus; both of them mentioned by Cicero in particular acquaintance, and the last, as his intimate friend<sup>1</sup>. Their authority, after so long an intermission, was clothed with that severity which the libertinism of the times demanded: for they expelled above sixty-four from the senate, notorious immoralities, the greatest part for the detestable crimes of taking money for judging causes<sup>2</sup>, and, among them, Antonius, the uncle of the triumvir; subscribing their reasons for it, that he had plundered the allies, declined a mortgage on his lands, and was not master of his estate<sup>3</sup>: this very Antonius was elected ædile and prætor, soon after, in his proper course, and within six years, advanced to the consulship: which confirms what Cicero says of this censorial animadversion, that it was become merely nominal, and had no other effect than of putting a man to the blush<sup>4</sup>.

From the impeachment of Verres, Cicero entered upon the ædileship, and, in one of his speeches, gives us a short account of the duty of it: "I am now chosen ædile," says he, "and am sensible of what is committed to me by the Roman people: am to exhibit, with the greatest solemnity, the most sacred rites to Ceres, Liber, and Libera; am to appease and conciliate the mother Flora to the people and city of Rome, by the celebration of the public games; am to furnish out those ancient shows, the first which were called Roman, with all possible dignity and religion, in honour of Jupiter, Juno, Minerva; am to take care, also, of all the sacred edifices, and, indeed, of the whole city," &c. The people were passionately fond of all these games and diversions; and the public allowance for them being but small, according to the frugality of the old Republic, the ædiles supplied the rest at their own cost, and were often ruined by it. For every part of the empire was ransacked for what was rare and curious, to adorn the splendour of their shows: the Forum, in which they were exhibited, was usually beautified with porticos, built for the purpose, and filled with the choicest statues and pictures which Rome and Italy afforded. Cicero reproaches Appius for draining Greece, and the islands, of all their furniture, of this kind, for the ornament of his ædileship<sup>5</sup>: and Verres is said to have

<sup>1</sup> Nam mihi—cum ambobus est amicitia: cum altero vero—magnus usus et summa necessitudo. Pro Cluen. 42.

<sup>2</sup> Quos autem duo censores, clarissimi viri furti et captarum pecuniarum nomine notarent, si non modo in Senatum redierunt, sed etiam illarum ipsarum rerum iudiciis delati sunt. Ib. Vid. Pigh. Annal. ad A. U. 683.

<sup>3</sup> Asconius in Orat. in Tog. cand.

<sup>4</sup> Censoris iudicium nihil fere damnato affert præter roborem. Itaque quod omnis censure versatur tantummodo in nomine, animadversio illa ignominia dicta est. Fragment. c. lib. 4. de Repub. ex Nonio.

<sup>5</sup> In Verr. 5. 14.

<sup>6</sup> Quanto signa, tabulas, ornamentorum quod superfuit in fanis et communibus locis, tota e Grecia atque insulis omnibus, honoris populi Rom. causa—deportavit. Pro Dom. et Pont. 43.

supplied his friends, Hortensius and Metellus, with all the fine statues of which he had plundered the provinces<sup>1</sup>.

Several of the greatest men of Cicero's time had distinguished themselves by an extraordinary expense and magnificence in this magistracy; Lucullus, Scaurus, Lentulus, Hortensius<sup>2</sup>, and C. Antonius, who, though expelled so lately from the senate, entertained the city, this year, with stage-plays, whose scenes were covered with silver; in which he was followed, afterwards, by Muræna<sup>3</sup>: yet J. Cæsar outdid them all; and in the sports exhibited for his father's funeral, made the whole furniture of the theatre of solid silver, so that wild beasts were then first seen to tread on that metal<sup>4</sup>: but the excess of his expense was but in proportion to the excess of his ambition; for the rest were only purchasing the consulship, to rule the empire.—Cicero took the middle way, and observed the rule, which he prescribed afterwards to his son, of an expense agreeable to his circumstances<sup>5</sup>; so as neither to hurt his character, by a sordid illiberality, nor his fortunes, by a vain ostentation of magnificence; since the one, by making a man odious, deprives him of the power of doing good; the other, by making him necessitous, puts him under the temptation of doing ill: thus Mamercus, by declining the ædileship, through frugality, lost the consulship<sup>6</sup>; and Cæsar, by his prodigality, was forced to repair his own ruin, by ruining the Republic.

But Cicero's popularity was built on a more solid foundation, the affection of his citizens, from a sense of his merit and services; yet, in compliance with the custom and humour of the city, he furnished the three solemn shows above-mentioned, to the entire satisfaction of the people, an expense

cuser. Your honour is united with that of this temple ; and by the favour of the senate, and people of Rome, your name is consecrated with it to all posterity ; it must be your care, therefore, that the Capitol, as it is now restored more splendidly, may be furnished also more richly than it was before ; as if the fire had been sent on purpose from heaven, not to destroy the temple of Jupiter, but to require from us one more shining and magnificent than the former !."

In this year Cicero is supposed to have defended Fonteius and Cæcina. Fonteius had been prætor of the Narbonese Gaul, for three years, and was afterwards accused, by the people of the province, and one of their princes, Inducio-marus, of great oppression, and exactions, in his government, and, especially, of imposing an arbitrary tax on the exportation of their wines. There were two hearings in the cause, yet but one speech of Cicero's remaining, and that so imperfect, that we can hardly form a judgment either of the merit, or the issue of it. Cicero allows the charge of the wines to be a heavy one, if true ; and, by his method of defence, one would suspect it to be so, since his pains are chiefly employed in exciting an aversion to the accusers, and a compassion to the criminal. For, to destroy the credit of the witnesses, he represents the whole nation as a drunken, impious, faithless people ; natural enemies to all religion, without any notion of the sanctity of an oath, and polluting the altars of their gods with human sacrifices. "And what faith, what piety," says he, "can you imagine to be in those, who think that the gods are to be appeased by cruelty and human blood ?" And, to raise, at last, the pity of the judges, he urges, in a pathetic manner,

Lucius Cicero, the late companion of his journey to Sicily; whose death he laments, with all the marks of a tender affection, in the following letter to Atticus.

“You, who of all men know me the best, will easily conceive how much I have been afflicted, and what a loss I have sustained, both in my public and domestic life: for in him I had every thing which could be agreeable to a man, from the obliging temper and behaviour of another. I make no doubt, therefore, but that you also are affected with it, not only for the share which you bear in my grief, but for your own loss of a relation and a friend; accomplished with every virtue; who loved you, as well from his own inclination, as from what he used to hear of you, from me<sup>1</sup>,” &c.

What made his kinsman's death the more unlucky to him at this juncture, was the want of his help, in making interest for the prætorship, for which he now offered himself a candidate, after the usual interval of two years<sup>2</sup>, from the time of his being chosen ædile: but the city was in such a ferment all the summer, that there was like to be no election at all: the occasion of it arose from the publication of some new laws, which were utterly disliked, and fiercely opposed by the senate. The first of them was proposed in favour of Pompey, by A. Gabinus, one of the tribunes, as a testimony of their gratitude, and the first fruits, as it were, of that power which he had restored to them. It was to grant him an extraordinary commission for quelling the pirates, who infested the coasts and navigation of the Mediterranean, to the disgrace of the empire, and the ruin of all commerce<sup>3</sup>; by which an absolute command was conferred upon him through all the provinces bordering on that sea, as far as fifty miles within land. These pirates were grown so strong, and so audacious, that they had taken several Roman magistrates and ambassadors prisoners, made some successful descents on Italy itself, and burnt the navy of Rome, in the very port of Ostia<sup>4</sup>. Yet the grant of a power so exorbitant, and unknown to the laws, was strenuously opposed by Catulus, Hortensius, and all the other chiefs of the senate, as dangerous to the public liberty, nor fit to be intrusted to any single person: they alleged, that these unusual grants were the cause of all the misery that the Republic had

<sup>1</sup> Ad Att. 1. 5.


<sup>2</sup> Ut si Ædilis fuisses, post biennium tuus annus esset. Ep. fam. 10. 25.

<sup>3</sup> Quis navigavit, qui non se aut mortis aut servitutis periculo committeret, cum aut hunc aut referto prædonum mari navigaret? Pro leg. Manil. 11.

<sup>4</sup> Qui ad vos ab exteris nationibus venirent, captos querar, cum legati populi Romani redempti sint? Mercatoribus tutum mare non fuisse dicam, cum duodecim secures in potestatem prædonum pervenerint?—Quid ego Ostiense incommodum, atque illam labem et ignominiam Reipub. querar, cum, prope inspectantibus vobis, classis ea cui Consul populi Romani præpositus esset, a prædonibus capta atque oppressa est? Ib. 12.

suffered, from the proscriptions of Marius and Sylla, who, by a perpetual succession of extraordinary commands, were made too great to be controlled by the authority of the laws; that though the same abuse of power was not to be apprehended from Pompey, yet the thing itself was pernicious, and contrary to the constitution of Rome; that the equality of a democracy required, that the public honours should be shared alike, by all who were worthy of them; that there was no other way to make men worthy, and to furnish the city with a number and choice of experienced commanders: and if, as it was said by some, there were really none, at that time, fit to command, but Pompey, the true reason was, because they would suffer none to command but Pompey<sup>1</sup>. All the friends of Lucullus were particularly active in the opposition; apprehending that this new commission would encroach upon his province and command in the Mithridatic war: so that Gabinius, to turn the popular clamour on that side, got a plan of the magnificent palace, which Lucullus was building, painted upon a banner, and carried about the streets by his mob; to intimate, that he was making all that expense out of the spoils of the Republic<sup>2</sup>.

Catulus, in speaking to the people against this law, demanded of them, if every thing must needs be committed to Pompey, what they would do if any accident should befall him? Upon which, as Cicero says, he reaped the just fruit of his virtue, when they all cried out, with one voice, that their dependence would then be upon him<sup>3</sup>. Pompey, himself, who was naturally a great dissembler, affected, not only an indifference, but a dislike to the employment, and begged of the people to confer it on somebody else, and after all the tergiversations



rank the price of them at once, as if plenty had been actually restored'. But though the senate could not hinder the law, yet they had their revenge on Gabinus, the author of it, by preventing his being chosen one of Pompey's lieutenants, which was what he chiefly aimed at, and what Pompey himself solicited: though Pompey probably made him amends for it in some other way; since, as Cicero says, he was so necessitous at this time, and so profligate, that, if he had not carried his law, he must have turned pirate himself'. Pompey had a fleet of five hundred sail allowed for this expedition, with twenty-four lieutenants, chosen out of the senate'; whom he distributed so skilfully through the several stations of the Mediterranean, that, in less than fifty days, he drove the pirates out of all their lurking holes, and, in four months, put an end to the whole war: for he did not prepare for it till the end of winter, set out upon it in the beginning of spring, and finished it in the middle of summer'.

A second law was published by L. Otho, for the assignment of distinct seats, in the theatres, to the equestrian order, who used, before, to sit promiscuously with the populace: but, by this law, fourteen rows of benches, next to those of the senators, were to be appropriated to their use; by which he secured to them, as Cicero says, both their dignity and their pleasure'. The senate obtained the same privilege, of separate seats, about an hundred years before, in the consulship of Scipio Africanus, which highly disgusted the people, and gave occasion, says Livy, as all innovations are apt to do, to much debate and censure: for many of the wiser sort, condemned all such distinctions in a free city, as dangerous to the public peace; and Scipio himself afterwards repented, and blamed himself for suffering it'. Otho's law, we may imagine, gave still greater offence, as it was a greater affront to the people, to be removed yet farther from what, of all things, they were fondest

<sup>1</sup> Quo die a vobis maritimo bello prepositus est imperator, tanta repente vilitas annis ex summa inopia et caritate rei frumentarie consecuta est, unius hominis spe et nomine, quantum vix ex summa ubertate agrorum diuturna pax efficere potuisset. Pro leg. Man. 15.

<sup>2</sup> Ne legaretur A. Gabinus Cn. Pompeio expetenti ac postulanti. Ib. 19.

<sup>3</sup> Nisi rogationem de piratico bello tulisset, profecto egestate ac improbitate coactus piraticum ipse fecisset. Post redit. in Senat. 5.

<sup>4</sup> Plut. in Pomp.

<sup>5</sup> Ipse autem, ut a Brundisio profectus est, unde quinquagesimo die totam ad imperium populi Romani Ciliciam adjunxit—ita tantum bellum—Cn. Pompeius extrema hieme apparavit, incunte vero suscepit, media estate confecit. Pro leg. Man. 12.

<sup>6</sup> L. Otho, vir fortis meus necessarius, equestri ordini restituit non solum dignitatem, sed etiam voluptatem. Pro Mur. 19.

<sup>7</sup> P. Africanus ille superior, ut dicitur, non solum a sapientissimis hominibus, qui tum erant, verum etiam a scipio saepe accusatus est, quod cum consul esset—passus esset tum primum a populari consensu senatoria subsellia separari. Pro Cornel. 1. Fragment. ex Asconio. [Liv. l. 34. 54.] Ea res avertit valgi animum et favorem Scipionis vehementer quassavit. Val. Max. 2. 4.

of, the sight of plays and shows: it was carried, however, by the authority of the tribune, and is frequently referred to, by the classic writers, as an act, very memorable<sup>1</sup>, and what made much noise in its time.

C. Cornelius, also, another tribune, was pushing forward a third law, of a graver kind, to prohibit bribery in elections, by the sanction of the severest penalties: the rigour of it highly displeased the senate, whose warm opposition raised great disorders in the city: so that all other business was interrupted, the elections of magistrates adjourned, and the consuls forced to have a guard. The matter, however, was compounded, by moderating the severity of the penalties, in a new law offered by the consuls, which was accepted by Cornelius, and enacted, in proper form, under the title of the Calpurnian law, from the name of the consul C. Calpurnius Piso<sup>2</sup>. Cicero speaks of it still as rigorously drawn<sup>3</sup>; for, besides a pecuniary fine, it rendered the guilty incapable of any public office or place in the senate. This Cornelius seems to have been a brave and honest tribune, though somewhat too fierce and impetuous in asserting the rights of the citizens: he published another law, to prohibit any man's being absolved from the obligation of the laws, except by the authority of the people; which, though a part of the old constitution, had long been usurped by the senate, who dispensed with the laws by their own decrees, and those often made clandestinely, when a few only were privy to them. The senate, being resolved not to part with so valuable a privilege, prevailed with another tribune to inhibit the publication of it, when it came to be read; upon which Cornelius took the book from the clerk, and read it himself. This was

The prætor was a magistrate next in dignity to the consuls, created originally as a colleague or assistant to them in the administration of justice, and to supply their place also in absence<sup>1</sup>. At first there was but one; but as the dominion and affairs of the Republic increased, so the number of the prætors was gradually enlarged from one to eight. They were chosen, not as the inferior magistrates, by the people voting in their tribes, but in their centuries, as the consuls and censors also were. In the first method, the majority of votes in each tribe determined the general vote of the tribe, and a majority of tribes determined the election, in which the meanest citizen had as good a vote as the best: but in the second, the balance of power was thrown into the hands of the better sort, by a wise contrivance of one of their kings, Servius Tullius; who divided the whole body of the citizens into a hundred and ninety-three centuries, according to a census or valuation of their estates: and then reduced these centuries into six classes, according to the same rule, assigning to the first or richest class ninety-seven of these centuries, or a majority of the whole number: so that, if the centuries of the first class agreed, the affair was over, and the votes of all the rest insignificant<sup>2</sup>.

The business of the prætors was to preside and judge in all causes, especially of a public or criminal kind, where their several jurisdictions were assigned to them by lot<sup>3</sup>; and it fell to Cicero's to sit upon actions of extortion and rapine, brought against magistrates and governors of provinces<sup>4</sup>; in which, as he tells us himself, he had acted as an accuser, sat as a judge, and presided as prætor<sup>5</sup>. In this office he acquired a great reputation of integrity, by the condemnation of Licinius Macer, a person of prætorian dignity, and great eloquence; who would have made an eminent figure at the bar, if his abilities had not been sullied by the infamy of a vicious life<sup>6</sup>. "This man," as Plutarch relates it, "depending upon his interest, and the influence of Crassus, who supported him with all his power, was so confident of being acquitted, that, without waiting for sentence, he went home to dress himself, and, as if already absolved, was returning towards the court in a white gown; but

<sup>1</sup> Aul. Gel. 13. 15.

<sup>2</sup> From this division of the people into classes, the word classical, which we now apply to writers of the first rank, is derived: for it signified originally persons of the first class, all the rest being styled *infra classem*. Ib. 7. 13.

<sup>3</sup> In Verr. Act. 1. 8.

<sup>4</sup> *Postulatur apud me prætorem primum de pecuniis repetundis*. Pro Cornel. 1. fragm.

<sup>5</sup> *Accusavi de pecuniis repetundis, judex sedi, prætor quaesivi, &c.* Pro Rabir. Post. 4.

<sup>6</sup> Brutus, 352.

being met on his way by Crassus, and informed that he was condemned by the unanimous suffrage of the bench, he took his bed, and died immediately." The story is told differently by other writers: "That Macer was actually in the court, expecting the issue; but perceiving Cicero ready to give judgment against him, he sent one to let him know that he was dead, and stopping his breath at the same time with an handkerchief, instantly expired; so that Cicero did not proceed to sentence, by which Macer's estate was saved to his son Licinius Calvus, an orator afterwards of the first merit and eminence." But, from Cicero's own account it appears, that, after treating Macer in the trial with great candour and equity, he actually condemned him, with the universal approbation of the people; and did himself much more honour and service by it, than he could have reaped, he says, by Macer's friendship and interest, if he had acquitted him<sup>1</sup>.

Manilius, one of the new tribunes, no sooner entered into his office, than he raised a fresh disturbance in the city, by the promulgation of a law, for granting to slaves, set free, a right of voting among the tribes; which gave so much scandal to all, and was so vigorously opposed by the senate, that he was presently obliged to drop it<sup>2</sup>: but being always venal, as Velleius says, and the tool of other men's power, that he might recover his credit with the people, and engage the favour of Pompey, he proposed a second law, that Pompey, who was then in Cilicia, extinguishing the remains of the piratic war, should have the government of Asia added to his commission, with the command of the Mithridatic war, and of all the Roman armies in those parts<sup>3</sup>. It was about eight

fection was still increased, by the unlucky defeat of one of his lieutenants, Triarius; who, in a rash engagement with Mithridates, was destroyed with the loss of his camp, and the rest of his troops: so that as soon as they heard that Glabrio, the consul of the last year, was appointed to succeed him, and finally arrived in Asia, they broke out into an open mutiny, and refused to follow him any farther, declaring themselves to be no longer his soldiers: but Glabrio, upon the news of these disorders, having no inclination to enter upon so troublesome a command, chose to stop short in Bithynia, without ever going to the army<sup>1</sup>.

This mutinous spirit in Lucullus's troops, and the loss of his authority with them, which Glabrio was still less qualified to sustain, gave a reasonable pretext to Manilius's law; and Pompey's success against the pirates, and his being upon the spot with a great army, made it likewise the more plausible: so that, after a sharp contest and opposition from some of the best and greatest of the senate, the tribune carried his point, and the law confirmed by the people. Cicero supported it with all his eloquence, in a speech from the rostra, which he had never mounted till this occasion: where, in displaying the character of Pompey, he draws the picture of a consummate general, with all the strength and beauty of colours, which words can give. He was now in the career of his fortunes, and in sight, as it were, of the consulship, the grand object of his ambition; so that his conduct was suspected to flow from an interested view of facilitating his own advancement, by paying his court to Pompey's power: but the reasons already intimated, and Pompey's singular character of modesty and abstinence, joined to the superiority of his military fame, might probably convince him, that it was not only safe, but necessary at this time, to commit a war, which nobody else could finish, to such a general; and a power, which nobody he ought to be entrusted with, to such a man. This he himself solemnly affirms in the conclusion of his speech: "I call the gods to witness," says he, "and especially those who preside over this temple, and inspect the minds of all who administer the public affairs, that I neither do this at the desire of any one, nor to conciliate Pompey's favour, nor to procure from any man's greatness, either a support in dangers, or assistance in honours: for as to dangers, I shall repel them as a man ought to do, by the protection of my innocence; and for honours, I shall obtain them, not from any single man, nor from this place, but from my usual laborious course of life, and the continuance of your favour. Whatever pains, therefore, I

<sup>1</sup> Pro leg. Manil. 2. 9. Plut. ib. Dio. l. 36. p. 7.

have taken in this cause, I have taken it all, I assure you, for the sake of the Republic; and, so far from serving any interest of my own by it, have gained the ill-will and enmity of many, partly secret, partly declared; unnecessary to myself, yet not useless perhaps to you: but, after so many favours received from you, and this very honour which I now enjoy, I have made it my resolution, citizens, to prefer your will, the dignity of the Republic, and the safety of the provinces, to all my own interests and advantages whatsoever'."

J. Caesar, also, was a zealous promoter of this law; but from a different motive than the love either of Pompey, or the Republic: his design was, to recommend himself by it to the people, whose favour he foresaw would be of more use to him than the senate's, and to cast a fresh load of envy on Pompey, which, by some accident, might be improved afterwards to his hurt; but his chief view was to make the precedent familiar, that whatever use Pompey might make of it, he himself might one day make a bad one'. For this is the common effect of breaking through the barrier of the laws, by which many states have been ruined; when, from a confidence in the abilities and integrity of some eminent citizen, they invest him, on pressing occasions, with extraordinary powers for the common benefit and defence of the society; for though power so entrusted, may, in particular cases, be of singular service, and sometimes even necessary; yet the example is always dangerous, furnishing a perpetual pretence to the ambitious and ill-designing, to grasp at every prerogative which had been granted at any time to the virtuous, till the same power, which would save a country in good hands, oppresses it at last

## OF CICERO.

fatal passions; whose lust no sense of shame restrains; by the viciousness of her mind, perverts all the laws of men to the worst ends; who acts with such folly, that none can take her for a human creature; with such violence, that none can imagine her to be a woman; with such cruelty that none can receive her to be a mother; one, who has confounded not only the name and the rights of nature, but all the relations of it: the wife of her son-in-law! the step-mother of her son! the invader of her daughter's bed! in short, who has nothing left in her of the human species, but the mere form."

He is supposed to have defended several other criminals this year, though the pleadings are now lost, and particularly M. Fundanius: but what gives the most remarkable proof of his industry, is, that during his prætorship, as some of the ancient writers tell us, though he was in full practice and exercise of speaking, yet he frequented the school of a celebrated rhetorician, Gniphos<sup>1</sup>. We cannot suppose that his design was to turn any thing new, but to preserve and confirm that perfection which he had already acquired, and prevent any ill habit from growing insensibly upon him, by exercising himself under the observation of so judicious a master. But his chief view certainly was, to give some countenance and encouragement to Gniphos himself, as well as to the art which he professed; and by the presence and authority of one of the first magistrates of Rome, to inspire the young nobles with an ambition to excel in it.

When his magistracy was just at an end, Manilius, whose tribunate expired a few days before, was accused before him of rapine and extortion: and though ten days were always allowed to the criminal to prepare for his defence, he appointed the very next day for the trial. This startled and offended the citizens, who generally favoured Manilius, and looked upon the prosecution as the effect of malice and resentment on the part of the senate, for his law in favour of Pompey. The tribunes, therefore, called Cicero to an account before the people, for treating Manilius so roughly; who, in defence of himself, said, that as it had been his practice to treat all criminals with humanity, so he had no design of acting otherwise with Manilius, but, on the contrary, had appointed that short day for the trial, because it was the only one of which he was master; and that it was not the part of those who wished well to Manilius to throw off the cause to another judge. This made a wonderful change in the minds of the audience, who, applauding his conduct, desired then that he would undertake the defence of

<sup>1</sup> Pro Cluent. 70.

<sup>2</sup> Scholam ejus claros viros frequentasse aiunt: in his M. Ciceronem, etiam cum præura fungeretur. Sueton. de clar. Grammat. 7. Macrobi. Saturn. 3. 12.

Manilius, to which he consented; and stepping up again into the rostra, laid open the source of the whole affair, with many severe reflections upon the enemies of Pompey<sup>1</sup>. The trial, however, was dropped, on account of the tumults which arose immediately after in the city, from some new incidents of much greater importance.

At the consular election, which was held this summer, P. Autronius Pætus, and P. Cornelius Sylla, were declared consuls; but their election was no sooner published, than they were accused of bribery and corruption by the Calpurnian law; and, being brought to trial, and found guilty, before their entrance into office, forfeited the consulship to their accusers and competitors, L. Manlius Torquatus, and L. Aurelius Cotta. Catiline, also, who, from his prætorship, had obtained the province of Afric, came to Rome this year, to appear a candidate at the election; but, being accused of extortion and rapine in that government, was not permitted by the consuls to pursue his pretensions<sup>2</sup>.

This disgrace of men, so powerful and desperate, engaged them presently in a conspiracy against the state, in which it was resolved to kill the new consuls, with several others of the senate, and share the government among themselves: but the effect of it was prevented by some information given of the design, which was too precipitately laid to be ripe for execution. Cn. Piso, an audacious, needy, factious young nobleman was privy to it<sup>3</sup>; and, as Suetonius says, two more of much greater weight, M. Crassus and J. Cæsar; the first of whom was to be created dictator, the second his master of the

Cæsar and he are said to have entered into a new and separate engagement, that the one should begin some disturbance abroad, while the other was to prepare and inflame matters at home : but this plot also was defeated by the unexpected death of Piso ; who was assassinated by the Spaniards, as some say, for his cruelty ; or, as others, by Pompey's clients, and at the instigation of Pompey himself<sup>1</sup>.

Cicero, at the expiration of his prætorship, would not accept any foreign province<sup>2</sup>, the usual reward of that magistracy, and the chief fruit which the generality proposed from it. He had no particular love for money, nor genius for arms, so that those governments had no charms for him : the glory which he pursued, was to shine in the eyes of the city, as the guardian of its laws, and to teach the magistrates how to execute, the citizens how to obey them. But he was now preparing to sue for the consulship, the great object of all his hopes ; and his whole attention was employed how to obtain it in his proper year, and without a repulse. There are two years necessarily to intervene between the prætorship and consulship ; the first of which was usually spent in forming a general interest, and soliciting for it, as it were, in a private manner ; the second in suing for it openly, in the proper form and habit of a candidate. The affection of the city, so signally declared for him, in all the inferior steps of honour, gave him a strong presumption of success in his present pretensions to the highest : but, as he had reason to apprehend a great opposition from the nobility, who looked upon the public dignities as a kind of birth-right, and could not brook their being intercepted, and snatched from them by new men<sup>3</sup> ; so he resolved to put it out of their power to hurt him, by omitting no pains which could be required of a candidate, of visiting and soliciting all the citizens in person. At the election, therefore, of the tribunes, on the sixteenth of July, where the whole city was assembled in the field of Mars, he chose to make his first effort, and to mix himself with the crowd, on purpose to caress and salute them, familiarly, by name ; and, as soon as there was any vacation in the Forum, which happened usually in August, he intended to make an excursion into the Cisalpine Gaul, and, in the character of a lieutenant to Piso, the governor of it, to visit the towns and colonies of that province, which was reckoned very strong in the number of its votes, and so return

<sup>1</sup> Pactumque, ut simul foris ille, ipse Romæ, ad res novas consurgerent. Ib.


Sunt, qui dicant, imperia ejus injusta—barbaros nequivisse pati ; alii autem, equites illos, Cn. Pompeii veteres clientes, voluntate ejus Pisonem aggressos. Sallust. 19.

<sup>2</sup> Tu in provinciam ire noluisti : non possum id in te reprehendere, quod in meipso prætor—probavi. Pro Muræ. 20.

<sup>3</sup> Non idem mihi licet quod iis, qui nobili genere nati sunt, quibus omnia populi Romani beneficia dormientibus deferuntur. In Verr. 5. 70.

to Rome in January following<sup>1</sup>. While he was thus employed in suing for the consulship, L. Cotta, a remarkable lover of wine, was one of the censors, which gave occasion to one of Cicero's jokes, that Plutarch has transmitted to us, that happening one day to be dry with the fatigue of his task, he called for a glass of water to quench his thirst; and when his friend stood close around him, as he was drinking, "You do well," says he, "to cover me, lest Cotta should censure me, for drinking water."

He wrote about the same time to Atticus, then at Athens, to desire him to engage all that band of Pompey's dependants who were serving under him in the Mithridatic war, and, by way of jest, bids him tell Pompey himself, that he would not take it ill of him, if he did not come, in person, to his election. Atticus spent many years in this residence at Athens, which gave Cicero an opportunity of employing him, to buy a great number of statues, for the ornament of his several villas, especially that at Tusculum, in which he took the greatest pleasure<sup>2</sup>, for its delightful situation in the neighbourhood of Rome and the convenience of an easy retreat from the hurry and fatigues of the city: here he had built several rooms and galleries, in imitation of the schools and porticos of Athens, which he called, likewise, by their Attic names of the Academy and Gymnasium, and designed for the same use of philosophical conferences with his learned friends. He had given Atticus a general commission to purchase, for him, any piece of Grecian art or sculpture, which was elegant and curious especially of the literary kind, or proper for the furniture of his academy<sup>3</sup>; which Atticus executed to his great satisfaction



as soon as possible, with any other statues and ornaments which you think proper for the place, and in my taste, and good enough to please your's; but, above all, such as will suit my gymnasium and portico: for I am grown so fond of all things of that kind, that though others, probably, may blame me, yet I depend on you to assist me<sup>1</sup>."

Of all the pieces which Atticus sent, he seems to have been the most pleased with a sort of compound emblematical figures, representing Mercury and Minerva, or Mercury and Hercules jointly, upon one base, called *Hermathenæ* and *Hermeracles*: for Hercules being the proper deity of the Gymnasium, Minerva of the Academy, and Mercury common to both, they exactly suited the purpose for which he desired them<sup>2</sup>. But, he was so intent on embellishing this Tusculan villa with all sorts of Grecian work, that he sent over to Atticus the plans of his ceilings, which were of stucco-work, in order to bespeak pieces of sculpture, or painting, to be inserted in the compartments; with the covers of two of his wells, or fountains, which, according to the custom of those times, they used to form after some elegant pattern, and adorned with figures, in relief<sup>3</sup>.

Nor was he less eager in making a collection of Greek books, and forming a library, by the same opportunity of Atticus's help. This was Atticus's own passion, who, having free access to all the libraries of Athens, was employing his slaves in copying the works of their best writers, not only for his own use, but for sale also, and the common profit both of the slave and the master: for Atticus was remarkable, above all men of his rank, for a family of learned slaves, having scarce a foot-boy in his house, who was not trained both to read and write for him<sup>4</sup>. By this advantage he had made a very large collection of choice and curious books, and signified to Cicero his design of selling them; yet seems to have intimated withal, that he expected a larger sum for them than Cicero would easily spare: which gave occasion to Cicero to beg of him, in several letters,

<sup>1</sup> Ib. 8.

<sup>2</sup> *Hermathena* tua me valde delectat. Ib. 1. Quod ad me de *Hermathena* scribis, per mihi gratum est—quod et *Hermes* commune omnium, et *Minerva* singulare est insigne ejus gymnasii. Ib. 4. Signa nostra et *Hermeracles*, cum commodissime poteris, velim imponas. Ib. 10.

The learned generally take these *Hermeracles* and *Hermathenæ* to be nothing more than a tall square pedestal of stone, which was the emblem of Mercury, with the head of the other deity, Minerva or Hercules, upon it, of which sort there are several still extant, as we see them described in the books of antiquities. But I am apt to think, that the heads of both the deities were sometimes also joined together upon the same pedestal, looking different ways, as we see in those antique figures which are now indiscriminately called *Januses*.

<sup>3</sup> *Præterea* typos tibi mando, quos in tectorio atrioli possim includere, et putealla sigillata duo. Ib.

<sup>4</sup> In ea erant pueri literatissimi, anagnostæ optimi, et plurimi librarii; ut ne pedisequus quidem quibquam esset, qui non utrumque horum pulchre facere posset. Corn. Nep. in vita Attici, 12.

to reserve the whole number for him, till he could raise money enough for the purchase.

"Pray keep your books," says he, "for me, and do not despair of my being able to make them mine; which if I can compass, I shall think myself richer than Crassus, and despise the fine villas and gardens of them all<sup>1</sup>." Again: "Take care that you do not part with your library to any man, how eager soever he may be to buy it: for I am setting apart all my little rents to purchase that relief for my old age<sup>2</sup>." In a third letter he says, "That he had placed all his hopes of comfort and pleasure, whenever he should retire from business, on Atticus's reserving these books for him<sup>3</sup>."

But to return to the affairs of the city. Cicero was now engaged in the defence of C. Cornelius, who was accused, and tried, for practices against the state, in his late tribunate, before the prætor, Q. Gallius. This trial, which lasted four days, was one of the most important in which he had ever been concerned: the two consuls presided in it; and all the chiefs of the senate, Q. Catulus, L. Lucullus, Hortensius, &c. appeared as witnesses against the criminal<sup>4</sup>; whom Cicero defended, as Quintilian says, not only with strong, but shining arms, and with a force of eloquence, that drew acclamations from the people<sup>5</sup>. He published two orations, spoken in this cause, whose loss is a public detriment to the literary world, since they were reckoned among the most finished of his compositions: he himself refers to them as such<sup>6</sup>: and the old critics have drawn many examples from them, of that genuine eloquence, which extorts applause, and excites admiration.

C. Papius, one of the tribunes, published a law, this year,

Afric: he had been soliciting Cicero to undertake his defence; who, at one time, was much inclined, or determined rather to do it, for the sake of obliging the nobles, especially Cæsar and Crassus, or of making Catiline at least his friend, as he signifies in a letter to Atticus: "I design," says he, "at present, to defend my competitor Catiline: we have judges to our mind, yet such as the accuser himself is pleased with: I hope, if he be acquitted, that he will be the more ready to serve me, in our common petition; but if it fall out otherwise, I shall bear it with patience. It is of great importance to me, to have you here as soon as possible: for there is a general persuasion, that certain nobles of your acquaintance will be against me: and you, I know, could be of the greatest service, in gaining them over<sup>1</sup>." But Cicero changed his mind, and did not defend him<sup>2</sup>; upon a nearer view, perhaps, of his designs, and traitorous practices; to which he seems to allude, when describing the art and dissimulation of Catiline, he declares, that he himself was once almost deceived by him, so as to take him for a good citizen, a lover of honest men, a firm and faithful friend<sup>3</sup>, &c. But it is not strange that a candidate for the consulship, in the career of his ambition, should think of defending a man of the first rank and interest in the city, when all the consular senators, and even the consul himself, Torquatus, appeared with him at the trial, and gave testimony in his favour. Whom Cicero excused, when they were afterwards reproached with it, by observing, that they had no notion of his treasons, nor suspicion, at that time, of his conspiracy; but, out of mere humanity and compassion, defended a friend in distress, and, in that crisis of danger, overlooked the infamy of his life<sup>4</sup>.

His prosecutor was P. Clodius, a young nobleman as profligate as himself; so that it was not difficult to make up matters with such an accuser, who, for a sum of money, agreed to betray the cause, and suffer him to escape<sup>5</sup>: which gave occasion to what Cicero said, afterwards, in a speech against him, in the senate, while they were suing together for the consulship:—"Wretch! not to see that thou art not acquitted, but reserved only to a severer trial, and heavier punishment<sup>6</sup>." It was in this year, as Cicero tells us, under the consuls Cotta

<sup>1</sup> Ad Att. l. 2.

<sup>2</sup> Ascon. in Tog. cand.

<sup>3</sup> Meipsum, me, inquam, quondam ille pene decepit, cum et civis mihi bonus, et optimi cuiusque cupidus, et firmus amicus et fidebis videretur. Pro Cælio, 6.

<sup>4</sup> Accusati sunt uno nomine Consulares—affuerunt Catilinæ, eumque laudarunt. Nulla tamen patebat, nulla erat cognita conjuratio, &c. Pro Syll 29.

<sup>5</sup> A Catilina pecuniam accepit, ut turpissime prævaricaretur. De Harusp. resp. 20.

<sup>6</sup> O miser, qui non sentias illo iudicio te non absolutum, verum ad aliquod severius iudicium, ac majus supplicium reservatum. Orat. in Tog. cand.

and Torquatus, that those prodigies happened, which were interpreted to portend the great dangers and plots, that were now hatching against the state, and broke out, two years after, in Cicero's consulship; when the turrets of the Capitol, the statues of the gods, and the brazen image of the infant Romulus, sucking the wolf, were struck down by lightning<sup>1</sup>.

Cicero, being now in his forty-third year, the proper age required by law<sup>2</sup>, declared himself a candidate for the consulship, along with six competitors, P. Sulpicius Galba, L. Sergius Catilina, C. Antonius, L. Cassius Longinus, Q. Cornificius, C. Licinius Sacerdos. The two first were patricians; the two next plebeians, yet noble; the two last the sons of fathers, who had first imported the public honours into their families: Cicero was the only new man among them, or one born of equestrian rank<sup>3</sup>. Galba and Cornificius were persons of great virtue and merit; Sacerdos, without any particular blemish upon him; Cassius, lazy and weak, but not thought so wicked as he soon after appeared to be; Antonius and Catiline, though infamous in their lives and characters, yet, by intrigue and faction, had acquired a powerful interest in the city, and joined all their forces against Cicero, as their

<sup>1</sup> Tactus est ille etiam, qui hanc urbem condidit, Romulus: quem insuratum in Capitolio parvum atque lactantem, uberibus lupinis inbiantem fuisse meministis. In Catil. 3. 8.

This same figure, as it is generally thought, formed in brass, of the infants, Romulus and Remus, sucking the wolf, is still preserved, and shown in the Capitol, with the marks of a liquefaction, by a stroke of lightning, on one of the legs of the wolf. Cicero himself has described the prodigy in the following lines:

Hic silvestris erat Romani nominis altrix  
Marta; quæ parvos Mavortis semine natos  
Uberibus gravida intacta pectore matat

most formidable antagonist, in which they were vigorously supported by Crassus and Cæsar<sup>1</sup>.

This was the state of the competition; in which the practice of bribing was carried on so openly and shamefully, by Antonius and Catiline, that the senate thought it necessary to give some check to it, by a new and more rigorous law; but, when they were proceeding to publish it, L. Mucius Orestinus, one of the tribunes, put his negative upon them. This tribune had been Cicero's client, and defended by him, in an impeachment of plunder and robbery; but, having now sold himself to his enemies, made it the subject of all his harangues, to ridicule his birth and character, as unworthy of the consulship: in the debate, therefore, which arose in the senate, upon the merits of his negative, Cicero, provoked to find so desperate a confederacy against him, rose up, and, after some raillery and expostulation with Mucius, made a most severe invective on the flagitious lives and practices of his two competitors, in a speech usually called in *Toga candida*, because it was delivered in a white gown, the proper habit of all candidates, and from which the name itself was derived<sup>2</sup>.

Though he had now business enough upon his hands to engage his whole attention, yet we find him employed in the defence of Q. Gallius, the prætor of the last year, accused of corrupt practices, in procuring that magistracy. Gallius, it seems, when chosen ædile, had disgusted the people, by not providing any wild beasts for their entertainment, in his public shows; so that, to put them in good humour, when he stood for the prætorship, he entertained them with gladiators, on pretence of giving them in honour of his deceased father<sup>3</sup>. This was his crime, of which he was accused by M. Callidius, whose father had been impeached before, by Gallius. Callidius was one of the most eloquent and accurate speakers of his time, of an easy, flowing, copious style, always delighting, though seldom warming his audience, which was the only thing wanting to make him a complete orator. Besides the public crime just mentioned, he charged Gallius with a private one against himself, a design to poison him; of which he pretended to have manifest proofs, as well from the testimony of witnesses, as of his own hand and letters: but he told his story with so much temper and indolence, that Cicero, from his coldness in opening a fact so interesting, and where his life had been attempted, formed an argument to prove that it could not

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<sup>1</sup> Catilina et Antonius, quanquam omnibus maxime infamia eorum vita esset, tamen multum poterant. Coierant enim ambo, ut: Ciceronem consulatu dejicerent, adiutoribus ut firmissimis, M. Crasso et C. Cæsare. Ascon. argum. in *Tog. cand.*

<sup>2</sup> Ascon. argum.

<sup>3</sup> Ascon. not. ib.

be true. "How is it possible," says he, "Callidius, for you to plead in such a manner, if you did not know the thing to be forged? How could you, who act with such force of eloquence in other men's dangers, be so indolent in your own? Where was that grief, that ardour, which was to extort cries and lamentations from the most stupid? We saw no emotion of your mind, none of your body; no striking your forehead, or your thigh; no stamping with your foot: so that, instead of feeling ourselves inflamed, we could hardly forbear sleeping, while you were urging all that part of your charge<sup>1</sup>." Cicero's speech is lost, but Gallius was acquitted: for we find him, afterwards, revenging himself, in the same kind, on this very Callidius, by accusing him of bribery in his suit for the consulship<sup>2</sup>.

J. Caesar was one of the assistant judges this year to the prætor, whose province it was to sit upon the Sicarii, that is, those who were accused of killing, or carrying a dagger with intent to kill. This gave him an opportunity of citing before him, as criminals, and condemning, by the law of assassination, all those, who, in Sylla's proscription, had been known to kill, or receive money for killing, a proscribed citizen; which money Cato also, when he was quæstor the year before, had made them refund to the treasury<sup>3</sup>. Caesar's view was, to mortify the senate, and ingratiate himself with the people, by reviving the Marian cause, which had always been popular, and of which he was naturally the head, on account of his near relation to old Marius; for which purpose he had the hardiness likewise to replace in the Capitol the trophies and statues of Marius, which Sylla had ordered to be thrown down and

ulship, of the murder of many citizens in Sylla's proscription : of which though he was notoriously guilty, yet, contrary to all expectation, he was acquitted <sup>1</sup>.

Catiline was suspected also, at the same time, of another heinous and capital crime, an incestuous commerce with Fabia, one of the vestal virgins, and sister to Cicero's wife. This was charged upon him so loudly by common fame, and gave such scandal to the city, that Fabia was brought to a trial for it ; but, either through her innocence, or the authority of her brother Cicero, she was readily acquitted : which gave occasion to Cicero to tell him, among the other reproaches on his flagitious life, that there was no place so sacred, whither his very visits did not carry pollution, and leave the imputation of guilt, where there was no real crime subsisting <sup>2</sup>.

As the election of consuls approached, Cicero's interest appeared to be superior to that of all the candidates : for the nobles themselves, though always envious, and desirous to depress him, yet, out of regard to the dangers which threatened the city from many quarters, and seemed ready to burst out into a flame, began to think him the only man qualified to preserve the Republic, and break the cabals of the desperate, by the vigour and prudence of his administration : for, in cases of danger, as Sallust observes, pride and envy naturally subside, and yield the post of honour to virtue <sup>3</sup>. The method of chusing consuls was not by an open vote, but by a kind of ballot, or little tickets of wood, distributed to the citizens, with the names of the candidates severally inscribed upon each : but, in Cicero's case, the people were not content with this secret and silent way of testifying their inclinations ; but, before they came to any scrutiny, loudly and universally proclaimed Cicero the first consul ; so that, as he himself declared in his speech to them, after his election, he was not chosen by the votes of particular citizens, but the common suffrage of the city : nor declared by the voice of the crier, but of the whole Roman people <sup>4</sup>. He was the only new man who had obtained the sovereign dignity, or, as he expresses it, had forced the entrenchments of the nobility for forty years past, from the first consulship of C. Marius, and the only one likewise who

<sup>1</sup> Bis absolutum Catilinam. Ad Att. 1. 16. Sallust. 31. Dio. l. 56. p. 34.

<sup>2</sup> Cum ita vixisti, ut non esset locus tam sanctus, quo non adventus tuus, etiam cum culpa nulla subesset, crimen afferret. Orat. in Tog. cand. Vid. Ascon. ad locum.

<sup>3</sup> Sed ubi periculum advenit, invidia atque superbia post fuere. Sallust. 23.

<sup>4</sup> Sed tamen magnificentius esse illo nihil potest, quod meis comitiis non tabellam indicem tacitæ libertatis, sed vocem vivam præ vobis indicem vestrarum erga me voluntatum tulistis.—Itaque me non extrema tribus suffragiorum, sed primi illi vestri concursus, neque singulæ voces preconum, sed una voce universus populus Romanus consulem declaravit. De leg. Agrar. contra Rull. 2. 2. in Pison 1.

had ever obtained it in his proper year, or without a repulse<sup>1</sup>. Antonius was chosen his colleague by the majority of a few centuries above his friend and partner Catiline; which was effected, probably, by Cicero's management, who considered him as the less dangerous and more tractable of the two.

Cicero's father died this year, on the twenty-fourth of November<sup>2</sup>, in a good old age, with the comfort to have seen his son advanced to the supreme honour of the city, and wanted nothing to complete the happiness of his life, but the addition of one year more, to have made him a witness of the glory of his consulship. It was in this year also, most probably, though some critics seem to dispute it, that Cicero gave his daughter Tullia in marriage, at the age of thirteen, to C. Piso Frugi, a young nobleman of great hopes, and one of the best families in Rome<sup>3</sup>: it is certain, at least, that his son was born in this same year, as he expressly tells us, in the consulship of L. Julius Cæsar and C. Marcius Figulus<sup>4</sup>. So that, with the highest honour which the public could bestow, he received the highest pleasure which private life ordinarily admits, by the birth of a son and heir to his family.

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### SECTION III.

CICERO was now arrived through the usual gradation of honours, at the highest which the people could regularly give, or an honest citizen desire. The offices which he had already borne, had but a partial jurisdiction, confined to particular

ne of their ambition, were forced to practise all the art of flattery: to court the little as well as the great, to espouse principles and politics in vogue, and to apply their talents to flatter friends, rather than to serve the public'. But consulship put an end to this subjection, and with the consul the state gave them the command of themselves: so the only care left was, how to execute this high office with honour and dignity, and employ the power entrusted to them to the benefit and service of their country.

We now therefore to look upon Cicero in a different order to form a just idea of his character: to consider him as an ambitious courtier, applying all his thoughts to his own advancement; but as a great magistrate and statesman, administering the affairs and directing the policy of a mighty empire. And, according to the accounts of ancient writers, Rome never stood in greater need of the aid and vigilance of an able consul than in this very year. Besides the traitorous cabals and conspiracies of those who were tempting to subvert the whole Republic, the new tribunes were also labouring to disturb the present quiet of it; some were publishing laws to abolish every thing that remained of Sylla's establishment, and to restore the sons of the banished to their estates and honours; others to reverse the sentence of P. Sylla and Antronius, condemned for bribery, and to place them in the senate': some were for expunging all the names and others for dividing the lands of the public to the citizens': so that, as Cicero declared, both to the senate and people, the Republic was delivered into his hands full of disorders and alarms; distracted by pestilent laws and sedition, and endangered, not by foreign wars, but intestine dissensions, and the traitorous designs of profligate citizens; and there was no mischief incident to a state which the honest men could cause to apprehend, the wicked to expect'.

It gave the greater spirit to the authors of these attempts, Antronius's advancement to the consulship; they knew him to be of the same principles, and embarked in the same designs as themselves, which, by his authority, they now hoped to bring to effect. Cicero was aware of this; and foresaw the effect of a colleague equal to him in power, yet opposite in interest, and prepared to frustrate all his endeavours for the service: so that his first care, after their election, was to

urbis in multitudinem, et eorum studia, qui conciones tenent, adeptus es, in orando, Manili causa recipienda, Cornelio defendendo, &c.—Nec tamen in rebus capienda est, neque in senatu, neque in concione: sed huc tibi retine. De petitione Consulatus. 13.

Sylla, 22, 23.

\* Dio. l. 37. p. 41.

g. Agrar. contra Rull. l. 3, 9: 2 3.

gain the confidence of Antonius, and to draw him from his engagements to the interests of the Republic; being convinced that all the success of his administration depended upon him. He began therefore to tempt him by a kind of argument, which seldom fails of its effect with men of his character, the offer of power to his ambition, and of money to his pleasures: with these baits he caught him; and a bargain was presently agreed upon between them, that Antonius should have the choice of the best province, which was to be assigned to them at the expiration of their year<sup>1</sup>. It was the custom for the senate to appoint what particular provinces were to be distributed every year to the several magistrates, who used afterwards to cast lots for them among themselves; the prætors for the prætorial, the consuls for the consular provinces. In this partition, therefore, when Macedonia, one of the most desirable governments of the empire, both for command and wealth, fell to Cicero by lot, he exchanged it immediately with his colleague for Cisalpine Gaul, which he resigned also soon after in favour of Q. Metellus; being resolved, as he declared in his inauguration speech, to administer the consulship in such a manner, as to put it out of any man's power, either to tempt or terrify him from his duty; since he neither sought nor would accept, any province, honour, or benefit from it whatsoever: "the only way," says he, "by which a man can discharge it with gravity and freedom, so as to chastise those tribunes who wish ill to the Republic, or despise those who wish ill to himself:" a noble declaration, and worthy to be transmitted to posterity, for an example to all magistrates in a free state. By this

## OF CICERO.

art, and made one of the capital points of his administration, to unite the equestrian order with the senate, into one body and interest. This body of men, next to the senate, consisted of the richest and most splendid families of Rome, in the ease and affluence of their fortunes, were most interested to the prosperity of the Republic: and he was the constant farmers of all the revenues of the state, and a great part of the inferior people dependent upon them. It was imagined, that the united weight of these two orders would always be an over-balance to any other power, and a secure barrier against any attempts of a popular and ambitious upon the common liberty<sup>1</sup>. He was the only man in the city capable of effecting such a coalition, now at the head of the senate, yet the darling of the knights, who considered him as the pride and ornament of their order, whilst he, to ingratiate himself the more with the knights, affected always in public to boast of that extraction, and to consider himself an equestrian: and make it his special care to assist them in all their affairs, and to advance their credit and authority, that, as some writers tell us, it was the authority of his consulship that first distinguished and established them into a third order of the state<sup>2</sup>. The policy was certainly very good, and the Republic reaped great benefit from it in this very year, through which he had the whole body of knights at his devotion, who, with Atticus at their head, constantly attended his orders, and served as a guard to his person<sup>3</sup>: and if the same maxim had been pursued by all succeeding consuls, it might probably have preserved, or would certainly, at least, have prolonged the liberty of the Republic.

Having laid this foundation for the laudable discharge of his consulship, he took possession of it, as usual, on the first of January. A little before his inauguration, P. Servilius Rullus, one of the new tribunes, who entered always into their office on the tenth of December, had been alarming the senate with the promulgation of an Agrarian law. These laws used to be greedily received by the populace, and were proposed, therefore, by factious magistrates, as oft as they had any point to carry with the multitude against the public good: but this law

<sup>1</sup> Ut multitudinem cum principibus, Equestrem ordinem cum senatu conjunxerim. In Flacc. 3. Neque ulla vis tanta reperietur, quæ conjunctionem vestram, Equitumque Romanorum, tantamque conspirationem bonorum omnium perfringere possit. In Cæcil. 4. 10.

<sup>2</sup> Cicero deinde stabilivit Equestre nomen in consulatu suo; ei senatum concilians, nec se ordine profectum celebrans, et ejus vires peculiari popularitate querens: ab illo tempore plane hoc tertium corpus in Repub. factum est, cepitque adjici senatui populoque Romano Equester ordo. Plin. Hist. N. l. 33. 2.

<sup>3</sup> Vos, Equites Romani, videte, scitis me ortum e vobis, omnia semper sensisse pro vobis, &c. Pro Rabir. Post. 6. Nunc, vero cum equitatus ille, quem ego in Clivo Capitolino, te signare ac principe, collocarem, senatum deseruerit. Ad Att. 2. 1.

was, of all others, the most extravagant, and, by a granting more to the people than had ever been given seemed likely to be accepted. The purpose of it was, to a decemvirate, or ten commissioners, with absolute power five years over all the revenues of the Republic: to distribute them, at pleasure, to the citizens; to sell and buy what they thought fit; to determine the rights of the praetors; to require an account from all the generals excepting Pompey, of the spoils taken in their wars; to colonies wheresoever they thought proper, and particularly Capua; and in short, to command all the money and fix the empire.

The publication of a law, conferring powers so excessive, gave a just alarm to all who wished well to the public tranquility, so that Cicero's first business was to quiet the apprehensions of the city, and to exert all his art and authority to baffle the intrigues of the tribune. As soon, therefore, as he was invested with his new dignity, he raised the spirits of the senate, assuring them of his resolution to oppose the law, and to exert to the utmost of his power; nor suffer the state to be hurt, or its liberties to be impaired, while the administration continued in his hands. From the senate he pursued his business into his own dominion, the Forum; where, in an bold and elegant speech from the rostra, he gave such a turn to the inclination of the people, that they rejected this law with as much eagerness as they had ever before received one.

He began by acknowledging the extraordinary obli-

a creation of ten kings to domineer over them. plays at large, from the natural effect of that power granted by it<sup>1</sup>; and proceeds to insinuate, that it levelled against their favourite Pompey, and persuaded to retrench and insult his authority: "citizens," says he, "for my calling so often upon you: you yourselves imposed the task upon me, warrator, to join with you, in defending his dignity; was able: I have hitherto done all that I could do; to it by my private friendship for the man, nor by any of honour, and of this supreme magistracy, which I owe from you, though with his approbation, yet without his. Since then I perceive this law to be designed as a <sup>2</sup> engine to overturn his power, I will resist the attempts of men; and, as I myself clearly see what they are aiming at, I will take care that you shall also see, and be convinced too." He then shows how the law, though it excepted Pompey from being accountable to the decemvirate, yet excluded him from being one of the number, by limiting the edict to those who were present at Rome; that it subjected like their jurisdiction the countries just conquered by him, which he draws a pleasant picture of the tribune Rullus, all his train of officers, guards, lictors, and apparitors<sup>3</sup>, lingering in Mithridates's kingdom, and ordering Pompey to attend him by a mandatory letter, in the following strain:

"P. Servilius Rullus, tribune of the people, decemvir, to Cnaeus Pompey, the son of Cnaeus, greeting.

"He will not add," says he, "the title of great, when he has been labouring to take it from him by law<sup>4</sup>.

"I require you not to fail to come presently to Sinope, and bring me a sufficient guard with you, while I sell those lands, by my law, which you have gained by your valour."

He observes, that the reason of excepting Pompey, was not from any respect to him, but for fear that he would not submit to the indignity of being accountable to their will: "But Pompey," says he, "is a man of that temper, that he thinks it his duty to bear whatever you please to impose: but if there be any thing which you cannot bear yourselves, he will take care that you shall not bear it long against your wills<sup>5</sup>." He proceeds to enlarge upon the dangers which this law threatened to their liberties; that instead of any good intended by it, to the body of the citizens, its purpose was to erect a power for the oppression of them; and, on pretence of planting colonies

<sup>1</sup> Ib. 6. 11. 13, 14.  
<sup>2</sup> Ib. 13.

<sup>3</sup> Ib. 18.  
<sup>4</sup> Ib. 20.

<sup>5</sup> Ib. 19.  
<sup>6</sup> Ib. 23.

in Italy and the provinces, to settle their own creatures and dependents, like so many garrisons, in all the convenient parts of the empire, to be ready, on all occasions, to support their tyranny: that Capua was to be their head-quarters, their favourite colony; of all cities the proudest, as well as the most hostile and dangerous; in which the wisdom of their ancestors would not suffer the shadow of any power or magistracy to remain; yet now it was to be cherished and advanced to another Rome: that by this law, the lands of Campania were to be sold, or given away: the most fruitful of all Italy, the surest revenue of the Republic, and their constant resource, when all other rents failed them; which neither the Gracchi, who, of all men, studied the people's benefit the most, nor Sylla, who gave every thing away, without scruple, durst venture to meddle with. In the conclusion he takes notice of the great favour and approbation with which they had heard him, as a sure omen of their common peace and prosperity; and acquaints them with the concord that he had established with his colleague, as a piece of news of all other the most agreeable; and promises all security to the Republic, if they would but show the same good disposition, on future occasions, which they had signified on that day; and that he would make those very men, who had been the most envious and averse to his advancement, confess, that the people had seen farther, and judged better than they, in choosing him for their consul.

In the course of this contest, he often called upon the tribunes to come into the rostra, and debate the matter with him before the people; but they thought it more prudent to decline the challenge, and to attack him rather by fictitious

like to a true law, as it established a tyranny in the city; but that it had some excuse from the times, and, in their present circumstances, seemed proper to be supported: especially by him, who, for this year of his consulship, professed himself the patron of peace<sup>1</sup>; but that it was the height of impudence in Rullus, to charge him with obstructing their interests, for the sake of Sylla's grants, when the very law which that tribune was then urging, actually established and perpetuated those grants; and showed itself to be drawn by a son-in-law of Valgius, who possessed more lands than any other man, by that invidious tenure, which were all, by this law, to be partly confirmed, and partly purchased of him<sup>2</sup>. This he demonstrates from the express words of the law, which he had studiously omitted, he says, to take notice of before, that he might not revive old quarrels, or move any argument of new discussion in a season so improper<sup>3</sup>: that Rullus, therefore, who accused him of defending Sylla's acts, was, of all others, the most impudent defender of them: for none had ever affirmed them to be good and legal, but to have some plea only from possession and the public quiet; but, by this law, the estates that had been granted by them were to be fixed upon a better foundation and title than any other estates whatsoever. He concludes, by renewing his challenge to the tribunes, to come and dispute with him to his face. But, after several fruitless attempts, finding themselves wholly unable to contend with him, they were forced at last to submit, and to let the affair drop, to the great joy of the senate.

This alarm being over, another accident broke out, which might have endangered the peace of the city, if the effects of it had not been prevented by the authority of Cicero. Otho's law, mentioned above, for the assignment of separate seats to the equestrian order, had highly offended the people, who could not digest the indignity of being thrust so far back from their diversions; and while the grudge was still fresh, Otho, happening to come into the theatre, was received by the populace with an universal hiss, but by the knights with loud applause and clapping: both sides redoubled their clamour with great fierceness, and from reproaches, were proceeding to blows; till Cicero, informed of the tumult, came immediately to the theatre, and, calling the people out, into the temple of Bellona, so tamed and stung them, by the power of his words, and made them so ashamed of their folly and perverseness, that, on their return to the theatre, they changed their hisses into applauses, and vied with the knights themselves in demonstrations of their respect to Otho<sup>4</sup>. The speech was soon after published:

<sup>1</sup> Ib. 3. 2.<sup>2</sup> Ib. 3. 1. 4.<sup>3</sup> Ib. 3. 2.<sup>4</sup> Plutarch's Life of Cicero.

though, from the nature of the thing, it must have been made upon the spot, and flowed extempore from the occasion : and, as it was much read and admired, for several ages after, as a memorable instance of Cicero's command over men's passions, so some have imagined it to be alluded to in that beautiful passage of Virgil<sup>1</sup>.

*Ac veluti magno in populo cum sæpe coërta est  
Seditio, sævisque animis immobile vulgus ;  
Juncque fœco et raris volant, furor arma ministrat :  
Tum pœlatis urtem et meritis si forte virum quem  
Aquezere, silent, arrectique auribus adstant ;  
Ille regis ductus unus, et pectora mulcet.—Virg. Æn. l. 152.*

As when sedition fires th' ignoble crowd,  
And the wild rabble storms and thirsts for blood ;  
Of stones and brands a mingled tempest flies,  
With all the sudden arms that rage supplies :  
If some grave sire appears amidst the strife,  
In morals strict and innocence of life,  
All stand attentive, while the sage controls  
Their wrath, and calms the tempest of their souls.—*Mr. Pitt.*

One topic, which Cicero touched in this speech, and the only one of which we have any hint from antiquity, was to reproach the rioters, for their want of taste and good sense, in making such a disturbance, while Roscius was acting<sup>2</sup>.

There happened, about the same time, a third instance, not less remarkable, of Cicero's great power of persuasion : Sylla had, by an express law, excluded the children of the proscribed from the senate and all public honours ; which was certainly an act of great violence, and the decree rather of a tyrant, than the law of a free state<sup>3</sup>. So that the persons injured by it, who were many, and of great families, were now making all their efforts to get it reversed. Their petition was highly equitable, but, from the condition of the times, as highly un-

published; acting herein the part of a wise statesman, who will not be forced to tolerate, and even maintain, what he cannot approve, for the sake of the common good: agreeably to what he lays down in his Book of Offices, that many things which are naturally right and just, are yet, by certain circumstances and conjunctures of times, made dishonest and unjust<sup>1</sup>. As to the instance before us, he declared, in a speech made several years after, that he had excluded from honours a number of brave and honest young men, whom fortune had thrown into so unhappy a situation, that if they had obtained power, they would probably have employed it to the ruin of the state<sup>2</sup>. The three cases just mentioned, made Pliny break out into a kind of rapturous admiration of the man, who could persuade the people to give up their bread, their pleasure, and their injuries to the charms of his eloquence<sup>3</sup>.

The next transaction of moment, in which he was engaged, was the defence of C. Rabirius, an aged senator, accused by T. Labienus, one of the tribunes, of treason or rebellion, for having killed L. Saturninus, a tribune, about forty years before, who had raised a dangerous sedition in the city. The fact, if it had been true, was not only legal, but laudable, being done in obedience to a decree of the senate, by which all the citizens were required to take arms in aid of the consuls, C. Marius and L. Flaccus.

But the punishment of Rabirius was not the thing aimed at, nor the life of an old man worth the pains of disturbing the peace of the city, the design was to attack that prerogative of the senate, by which, in the case of a sudden tumult, they could arm the city at once, by requiring the consuls to take care that the Republic received no detriment; which vote was supposed to give a sanction to every thing that was done in consequence of it; so that several traitorous magistrates had been cut off by it, without the formalities of a trial, in the act of stirring up sedition. This practice, though in use from the earliest times, had always been complained of by the tribunes, as an infringement of the constitution, by giving to the senate an arbitrary power over the lives of citizens, which could not legally be taken away without a hearing and judgment of the whole people. But the chief grudge to it was, from its being a perpetual check to the designs of the ambitious and popular, who aspired to any power not allowed by the laws: it was not diffi-

<sup>1</sup> Sic multa, quæ honesta natura videntur esse, temporibus fiunt non honesta. De Offic. 3. 25.

<sup>2</sup> Ego adolescentes fortes et bonos, sed usos ea conditione fortunæ, ut, si essent magistratus adepti, Reipub. statum convulsuri viderentur—comitiorum ratione privavi. In Pison. 2.

<sup>3</sup> Quo te, M. Tulli, piaculo taceam? &c. Plin. Hist. l. 7. 30.

cult for them to delude the multitude ; but the senate was not so easily managed, who, by that single vote of committing the Republic to the consuls, could frustrate at once all the effects of their popularity, when carried to a point which was dangerous to the state : for since, in virtue of it, the tribunes themselves, whose persons were held sacred, might be taken off, without sentence or trial, when engaged in any traitorous practices, all attempts of that kind must necessarily be hazardous and desperate.

This point, therefore, was to be tried on the person of Rabirius, in whose ruin the factious of all ranks were interested. J. Cæsar suborned Labienus to prosecute him ; and procured himself to be appointed one of the *duumviri*, or the two judges allotted by the prætor to sit upon trials of treason<sup>1</sup>. Hortensius pleaded his cause, and proved, by many witnesses, that the whole accusation was false, and that Saturninus was actually killed by the hand of a slave, who for that service obtained his freedom from the public<sup>2</sup>. Cæsar, however, eagerly condemned the old man, who appealed from his sentence to the people ; “where nothing,” says Suetonius, “did him so much service, as the partial and forward severity of his judge<sup>3</sup>.”

The tribunes, in the meanwhile, employed all their power to destroy him ; and Labienus would not suffer Cicero to exceed half an hour in his defence<sup>4</sup> ; and, to raise the greater indignation against the criminal, exposed the picture of Saturninus in the rostra, as of one who fell a martyr to the liberties of the people. Cicero opened the defence with great gravity, declaring, that in the memory of man, there had not been a

rius'—that he should have proclaimed and bragged of it, as an act that merited rewards instead of punishment. Here he was interrupted by the clamour of the opposite faction; but he observes it to be the faint efforts of a small part of the assembly: and that the body of the people, who were silent, would never have made him consul, if they had thought him capable of being disturbed by so feeble an insult; which he advised them to drop, since it betrayed only their folly and the inferiority of their numbers. The assembly being quieted, he goes on to declare, that though Rabirius did not kill Saturninus, yet he took arms with intent to kill him, together with the consuls and all the best of the city; to which his honour, virtue, and duty called him. He puts Labienus in mind that he was too young to be acquainted with the merits of that cause; that he was not born when Saturninus was killed, and could not be apprised how odious and detestable his name was to all the people: that some had been banished for complaining only of his death; others, for having a picture of him in their houses<sup>1</sup>: that he wondered, therefore, where Labienus had procured that picture, which none durst venture to keep, even at home; and much more, that he had the hardiness to produce, before an assembly of the people, what had been the ruin of other men's fortunes—that to charge Rabirius with this crime, was to condemn the greatest and worthiest citizens whom Rome had ever bred; and though they were all dead, yet the injury was the same, to rob them of the honour due to their names and memories.—“Would C. Marius,” says he, “have lived in perpetual toils and dangers, if he had conceived no hopes concerning himself and his glory beyond the limits of this life? When he defeated those innumerable enemies in Italy, and saved the Republic, did he imagine that every thing which related to him would die with him? No; it is not so, citizens; there is not one of us who exerts himself with praise and virtue in the dangers of the Republic, but is induced to it by the expectation of a futurity. As the minds of men, therefore, seem to be divine and immortal, for many other reasons, so especially for this, that in all the best and the wisest, there is so strong a sense of something hereafter, that they seem to relish nothing but what is eternal. I appeal then to the souls of C. Marius, and of all those wise and worthy citizens, who, from this life of men are translated to the honours and sanctity of the gods; I call them, I say, to witness, that I think myself bound to fight for their fame, glory, and memory, with as much zeal, as for the altars and temples of my country; and, if it

<sup>1</sup> lb. 6.<sup>2</sup> lb. 9.

were necessary to take arms in the defence of their praise, I should take them as strenuously, as they themselves did for the defence of our common safety<sup>1</sup>."

After this speech the people were to pass judgment on Rabirius by the suffrages of all the centuries: but there being reason to apprehend some violence and foul play from the intrigues of the tribunes, Metellus, the augur and prætor of that year, contrived to dissolve the assembly by a stratagem before they came to a vote<sup>2</sup>; and the greater affairs that presently ensued, and engaged the attention of the city, prevented the farther prosecution and revival of the cause.

But Cæsar was more successful in another case, in which he was more interested, his suit for the high priesthood, a post of the first dignity in the Republic, vacant by the death of Metellus Pius. Labienus opened his way to it by the publication of a new law, for transferring the right of electing from the college of priests to the people, agreeably to the tenor of a former law, which had been repealed by Sylla. Cæsar's strength lay in the favour of the populace, which, by immense bribes, and the profusion of his whole substance, he had gained on this occasion so effectually, that he carried this high office, before he had yet been prætor, against two consular competitors of the first authority in Rome, Q. Catulus and P. Servilius Isauricus; the one of whom had been censor, and then bore the title of Prince of the Senate; and the other been honoured with a triumph: yet he procured more votes against them, even in their own tribes, than they both had out of the whole number of the citizens<sup>3</sup>.

Catiline was now renewing his efforts for the consulship



Catiline to clear himself of this charge; where, without denying or excusing it, he bluntly told them, "that there were two bodies in the Republic," meaning the senate and the people, "the one of them infirm, with a weak head, the other firm without a head; which last had so well deserved of him, that it should never want a head while he lived." He had made a declaration of the same kind, and in the same place, a few days before, when, upon Cato's threatening him with an impeachment, he fiercely replied, "that if any flame should be excited in his fortunes, he would extinguish it, not with water, but a general ruin."<sup>1</sup>

These declarations startled the senate, and convinced them that nothing but a desperate conspiracy, ripe for execution, could inspire so daring an assurance; so that they proceeded immediately to that decree, which was the usual refuge in all cases of imminent danger, of ordering the consuls to take care that the Republic received no harm<sup>2</sup>. Upon this Cicero doubled his guard, and called some troops into the city; and, when the election of consuls came on, that he might imprint a sense of his own and the public danger the more strongly, he took care to throw back his gown, in the view of the people, and discovered a shining breast-plate which he wore under it<sup>3</sup>; by which precaution, as he told Catiline afterwards to his face, he prevented his design of killing both him and the competitors for the consulship, of whom D. Junius Silanus and L. Licinius Murena were declared consuls elect<sup>4</sup>.

Catiline thus a second time repulsed, and breathing nothing but revenge, was now eager and impatient to execute his grand plot: he had no other game left; his schemes were not only suspected, but actually discovered by the sagacity of the consul, and himself shunned and detested by all honest men; so that he resolved, without farther delay, to put all to the hazard, of ruining either his country or himself. He was singularly formed, both by art and nature, for the head of a desperate conspiracy; of an illustrious family, ruined fortunes, profligate mind, undaunted courage, unwearied industry; of a capacity equal to the hardest attempt, with a tongue that

<sup>1</sup> Tum enim dixit duo corpora esse Reipub.; unum debile, infirmo capite; alterum firmum, sine capite: huic, cum ita de se meritum esset, caput, se vivo, non defuturum.—Cum idem ille paucis diebus ante Catoni, judicium munitanti, respondisset, si quod esset in suas fortunas incendium excitatum, id se non aqua, sed ruina restitutum. Pro Muren. 25.

<sup>2</sup> Sallust. bell. Catil. 29. Plut. Cic.

<sup>3</sup> Descendi in campum—cum illa lata insignique lorica—ut omnes boni animadverterent, et cum in metu et periculo consulem viderent, id quod factum est, ad opem praeidiumque meum concurrerent. Pro Muren. 26.

<sup>4</sup> Cum, proximis comitiis consularibus, me consulem in campo et competitores tuos interficere voluisti, compressi conatus tuos nefarios amicorum praesidio. In Catil. l. 5.

could explain, and a hand that could execute it'. Cicero gives us his just character in many parts of his works, but in none a more lively picture of him than in the following passage<sup>1</sup>:

"He had in him," says he, "many, though not express images, yet sketches of the greatest virtues; was acquainted with a great number of wicked men, yet a pretended admirer of the virtuous. His house was furnished with a variety of temptations to lust and lewdness, yet with several incitements also to industry and labour: it was a scene of vicious pleasures, yet a school of martial exercises. There never was such a monster on earth, compounded of passions so contrary and opposite. Who was ever more agreeable at one time to the best citizens; who more intimate at another with the worst? who a man of better principles? who a fouler enemy to this city? who more intemperate in pleasure? who more patient in labour? who more rapacious in plundering? who more profuse in squandering? He had a wonderful faculty of engaging men to his friendship, and obliging them by his observance, sharing with them in common whatever he was master of; serving them with his money, his interest, his pains, and when there was occasion, by the most daring acts of villany; moulding his nature to his purposes, and bending it every way to his will. With the morose, he could live severely; with the free, gaily; with the old, gravely; with the young, cheerfully; with the enterprising, audaciously; with the vicious, luxuriously. By a temper so various and pliable, he gathered about him the profligate and the rash from all countries, yet held attached to him, at the same time, many brave and virtuous men, by the specious show of a pretended

to have the command of all the forces that remained. But his greatest hopes lay in Sylla's veteran soldiers, whose cause he had always espoused, and among whom he had been bred; who, to the number of about an hundred thousand, were settled in the different districts and colonies of Italy, in the possession of lands assigned to them by Sylla, which the generality had wasted by their vices and luxury, and wanted another civil war to repair their shattered fortunes. Among these he employed his agents and officers in all parts, to debauch them to his service; and, in Etruria, had actually enrolled a considerable body, and formed them into a little army, under the command of Manlius, a bold and experienced centurion, who waited only for his orders to take the field<sup>1</sup>. We must add to this, what all writers mention, the universal disaffection and discontent which possessed all ranks of the city, but especially the meaner sort, who, from the uneasiness of their circumstances, and the pressure of their debts, wished for a change of government: so that if Catiline had gained any little advantage at setting out, or come off but equal in the first battle, there was reason to expect a general declaration in his favour<sup>2</sup>.

He called a council, therefore, of all the conspirators, to settle the plan of their work, and divide the parts of it among themselves, and fix a proper day for the execution. There were about thirty-five, whose names are transmitted to us as principals in the plot, partly of the senatorian, partly of the equestrian order, with many others from the colonies and municipal towns of Italy, men of families and interest in their several countries. The senators were P. Cornelius Lentulus, C. Cethegus, P. Autronius, L. Cassius Longinus, P. Sylla, Serv. Sylla, L. Vargunteius, Q. Curius, Q. Annius, M. Porcius Lecca, L. Bestia<sup>3</sup>.

Lentulus was descended from a patrician branch of the Cornelian family, one of the most numerous, as well as the most splendid, in Rome. His grandfather had borne the title of Prince of the Senate, and was the most active in the pursuit and destruction of C. Gracchus, in which he received a dangerous wound<sup>4</sup>. The grandson, by the favour of his noble birth, had been advanced to the consulship about eight years

<sup>1</sup> *Castra sunt in Italia contra Rempub. in Etruria faucibus collocata.* In Catil. 1, 2. n. 2. 6.

<sup>2</sup> *Sed omnino cuncta plebes, novarum rerum studio, Catilinæ incepta probabat—quod si primo prælio Catilina superior, aut æqua manu discessisset, profecto magna cades, &c.* Sallust. 37. 39.

<sup>3</sup> Sallust. 17.

<sup>4</sup> Num P. Lentulum, principem senatus? Complures alios summos viros, qui cum L. Optinio consule armati Gracchum in Aventinum persecuti sunt? quo in prælio Lentulus grave vulnus accepit. Philip. 8. 4. in Catil. 4. 6.

before, but was turned out of the senate soon after by the censors, for the notorious infamy of his life, till, by obtaining the praetorship a second time, which he now actually enjoyed, he recovered his former place and rank in that supreme council. His parts were but moderate, or rather slow: yet the comeliness of his person, the gracefulness and propriety of his action, the strength and sweetness of his voice, procured him some reputation as a speaker. He was lazy, luxurious, and prodigiously wicked: yet so vain and ambitious, as to expect, from the overthrow of the government, to be the first man in the Republic: in which fancy he was strongly flattered by some crafty soothsayers, who assured him, from the Sibylline books, "that there were three Corneliiuses destined to the dominion of Rome: that Cinna and Sylla had already possessed it, and the prophecy wanted to be completed in him." With these views he entered freely into the conspiracy, trusting to Catiline's vigour for the execution, and hoping to reap the chief fruit from its success.

Cethegus was of an extraction equally noble, but of a temper fierce, impetuous, and daring to a degree even of fury. He had been warmly engaged in the cause of Marina, with whom he was driven out of Rome; but, when Sylla's affairs became prosperous, he presently changed sides, and throwing himself at Sylla's feet, and promising great services, was restored to the city. After Sylla's death, by intrigues and faction, he acquired so great an influence, that, while Pompey was abroad, he governed all things at home; procured for Antonius the command over the coasts of the Mediterranean, and for Lucius the management of the Mithridatic war. In

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was entrusted with the most bloody and desperate task of massacring their enemies within the rest of the conspirators were not less illustrious for : The two Syllas were nephews to the dictator of Antonius had obtained the consulship, but was : bribery ; and Cassius was competitor for it with self. In short, they were all of the same stamp and men whom disappointments, ruined fortunes, and lives, had prepared for any design against the state whose hopes of ease and advancement depended on : of affairs, and the subversion of the Republic.

At this meeting it was resolved, that a general insurrection should be raised through : ent parts of were assigned to different leaders ; that Catiline should himself at the head of the troops in Etruria ; that Rome be fired in many places at once, and a massacre begun : same time, of the whole senate, and all their enemies ; : none were to be spared except the sons of Pompey were to be kept as hostages of their peace and reconciliation with the father ; that, in the consternation of the fire and : massacre, Catiline should be ready with his Tuscan army, : the benefit of the public confusion, and make himself : of the city ; where Lentulus, in the mean while, as first in dignity, was to preside in their general councils ; Cassius to manage the affair of firing it ; Cethegus to direct the massacre . But the vigilance of Cicero being the chief obstacle to all their hopes, Catiline was very desirous to see him taken off before he left Rome ; upon which two knights of the company undertook to kill him the next morning in his bed, in an early visit, on pretence of business . They were both of his acquaintance, and used to frequent his house ; and, knowing his custom of giving free access to all, made no doubt of being readily admitted, as C. Cornelius, one of the two, afterwards confessed .

The meeting was no sooner over, than Cicero had information of all that passed in it : for, by the intrigues of a woman named Fulvia, he had gained over Curius, her gallant, one of the conspirators, of senatorian rank, to send him a punctual account of all their deliberations. He presently imparted this intelligence to some of the chiefs of the city, who were as-

<sup>1</sup> Curii, Porcii, Syllæ, Cethegi, Antonii, Varguntei, atque Longini : quæ familiæ ? quæ Senatorum insignia ? &c. Flor. l. 4. l.

<sup>2</sup> Cum Catilina egredieretur ad exercitum, Lentulus in urbe relinqueretur, Cassius herennius, Cethegus cædi præponeretur. Pro Syll. 19. Vid. Plut. in Cic.

<sup>3</sup> Dixisti paululum tibi esse esse more, quod ego viverem : reperti sunt duo Equites Romani, qui te leta cura liberarent, et esse illa ipsa nocte ante lucem me mco in lectulo interfecturos pollicerentur. In Catil. l. 4. it. Sallust. 28.

<sup>4</sup> Tunc tunc pater, Corneli, id quod tandem aliquando constiterat, illam sibi officiosam provinciam deposuisti. Pro Syll. 18.

sembled that evening, as usual, at his house; informing them, not only of the design, but naming the men who were to execute it, and the very hour when they would be at his gate: all which fell out exactly as he foretold; for the two knights came before break of day, but had the mortification to find the house well guarded, and all admittance refused to them<sup>1</sup>.

Catiline was disappointed likewise in another affair, of no less moment, before he quitted the city; a design to surprise the town of Præneste, one of the strongest fortresses of Italy, within twenty-five miles of Rome: which would have been of singular use to him in the war, and a sure retreat in all events: but Cicero was still beforehand with him, and, from the apprehensions of such an attempt, had previously sent orders to the place to keep a special guard; so that when Catiline came in the night to make an assault, he found them so well provided, that he durst not venture upon the experiment<sup>2</sup>.

This was the state of the conspiracy, when Cicero delivered the first of those four speeches, which were spoken on the occasion of it, and are still extant. The meeting of the conspirators was on the sixth of November, in the evening; and on the eighth he summoned the senate to the temple of Jupiter, in the Capitol, where it was not usually held but in times of public alarm<sup>3</sup>. There had been several debates before this on the same subject of Catiline's treasons, and his design of killing the consul: and a decree had passed, at the motion of Cicero, to offer a public reward to the first discoverer of the plot: if a slave, his liberty, and eight hundred pounds; if a citizen, his pardon, and sixteen hundred<sup>4</sup>. Yet Catiline, by a

kept on the mask, and had the confidence to come to this very meeting in the Capitol; which so shocked the whole assembly, that none even of his acquaintance durst venture to salute him; and the consular senators quitted that part of the house in which he sat, and left the whole bench clear to him<sup>1</sup>. Cicero was so provoked by his impudence, that, instead of entering upon any business, as he designed, addressing himself directly to Catiline, he broke out into a most severe invective against him, and, with all the fire and force of an incensed eloquence, laid open the whole course of his villainies, and the atrocity of his treasons.

He put him in mind, that there was a decree already made against him, by which he could take his life<sup>2</sup>, and that he ought to have done it long ago, since many, far more eminent and less criminal, had been taken off by the same authority, for the suspicion only of treasonable designs; that if he should order him, therefore, to be killed upon the spot, there was cause to apprehend, that it would be thought rather too late than too cruel: but there was a certain reason which yet withheld him: "Thou shalt then be put to death," says he, "when there is not a man to be found so wicked, so desperate, so like to thyself, who will deny it to be done justly. As long as there is one who dares to defend thee, thou shalt live, and live so, as thou now dost, surrounded by the guards which I have placed about thee, so as not to suffer thee to stir a foot against the Republic, whilst the eyes and ears of many shall watch thee, as they have hitherto done, when thou little thoughtest of it<sup>3</sup>." He then goes on to give a detail of all that had been concerted by the conspirators at their several meetings, to let him see, that he was perfectly informed of every step which he had taken, or designed to take; and observes, that he saw several at that very time in the senate, who had assisted at those meetings—he presses him, therefore, to quit the city, and, since all his councils were detected, to drop the thought of fires and massacres; that the gates were open, and nobody should stop him<sup>4</sup>. Then, running over the flagitious enormities of his life, and the series of his traitorous practices, he exhorts, urges, commands him to depart; and, if he would be advised by him, to go into a voluntary exile, and free them from their fears; that, if they were just ones, they might be safer; if groundless, the quieter<sup>5</sup>: that though he would not put the question to the house, whether they would order him into banishment, or not, yet he would let him see their sense

<sup>1</sup> Quis te ex hac tanta frequentia, tot ex tuis amicis ac necessariis salutavit? Quid, quod adventu tuo ista subcella vacuefacta sunt? &c. Ibid. l. 7.

<sup>2</sup> Habemus Senatus consultum in te, Catilina, vehemens et grave. Ib. l. 1.

<sup>3</sup> Ibid. 2.

<sup>4</sup> Ibid. 5.

<sup>5</sup> Ibid. 7.

upon it, by their manner of behaving while he was urging him to it; for, should he bid any other senator of credit, P. Sestius, or M. Marcellus, to go into exile, they would all rise up against him at once, and lay violent hands on their consul: yet, when he said it to him, by their silence they approved it; by their suffering it, decreed it; by saying nothing, proclaimed their consent<sup>1</sup>: that he would answer likewise for the knights, who were then guarding the avenues of the senate, and were hardly restrained from doing him violence; that if he would consent to go, they would all quietly attend him to the gates. Yet, after all, if, in virtue of his command, he should really go into banishment, he foresaw what a storm of envy he should draw by it upon himself; but he did not value that, if, by his own calamity, he could avert the dangers of the Republic: but there was no hope that Catiline could ever be induced to yield to the occasions of the state, or moved with the sense of his crimes, or reclaimed by shame, or fear, or reason, from his madness<sup>2</sup>. He exhorts him, therefore, if he would not go into exile, to go, at least, where he was expected, into Manlius's camp, and begin the war; provided only, that he would carry out with him all the rest of his crew: that there he might riot and exult at his full ease, without the mortification of seeing one honest man about him<sup>3</sup>: there he might practise all that discipline to which he had been trained, of lying upon the ground, not only in pursuit of his lewd amours, but of bold and hardy enterprizes: there he might exert all that boasted patience of hunger, cold, and want, by which, however, he would shortly find himself undone. He then introduces an expostulation of the Republic with himself.

say: yet, if the greatest was sure to befall me, it was always a persuasion, that envy, acquired by virtue, was really glory, not envy: but there are some of this very order, who do not ever see the dangers which hang over us, or else dissemble what they see; who, by the softness of their votes, cherish Catiline's hopes, and add strength to the conspiracy, by not revealing it: whose authority influences many, not only of the wicked, but the weak; who, if I had punished this man as he deserved, would not have failed to cry out upon me for being the tyrant'. Now, I am persuaded, that, when he is gone into Manlius's camp, whither he actually designs to go, none can be so silly as not to see that there is a plot, none so wicked as not to acknowledge it: whereas, by taking him off alone, though this pestilence would be somewhat checked, it could not be suppressed: but when he has thrown himself into rebellion, and carried out his friends along with him, and drawn together the profligate and desperate from all parts of the empire, not only this ripened plague of the Republic, but the very root and seed of all our evils will be extirpated with him at once." Then applying himself again to Catiline, he concludes with a short prayer to Jupiter: "With these omens, Catiline, of all prosperity to the Republic, but of destruction to thyself, and all those who have joined themselves with thee in all kinds of parricide, go thy way then to this impious and abominable war; whilst thou, Jupiter, whose religion was established with the foundation of this city, whom we truly call Stator, the stay and prop of this empire, wilt drive this man and his accomplices from thy altars and temples, from the houses and walls of the city, from the lives and fortunes of us all; and wilt destroy, with eternal punishments, both living and dead, all the haters of good men, the enemies of their country, the plunderers of Italy, now confederated in this detestable league and partnership of villany."

Catiline, astonished by the thunder of this speech, had little to say for himself in answer to it; yet, with downcast looks and suppliant voice, he begged of the fathers, not to believe too hastily what was said against him by an enemy; that his birth and past life offered every thing to him that was hopeful; and it was not to be imagined, that a man of patrician family, whose ancestors, as well as himself, had given many proofs of their affection to the Roman people, should want to overturn the government; while Cicero, a stranger, and late inhabitant of Rome, was so zealous to preserve it. But, as he was going on to give foul language, the senate interrupted him, by a general outcry, calling him traitor and parricide: upon which

being furious and desperate, he declared again, aloud, what he had said before to Cato, that since he was circumvented and driven headlong by his enemies, he would quench the flame which was raised about him, by the common ruin; and he rushed out of the assembly<sup>1</sup>. As soon as he was come to his house, and began to reflect on what had passed, perceiving it in vain to dissemble any longer, he resolved to enter into action immediately, before the troops of the Republic were increased, or any new levies made; so that, after a short conference with Lentulus, Cethegus, and the rest, about what had been concerted in the last meeting, having given fresh orders and assurances of his speedy return at the head of a strong army, he left Rome that very night, with a small retinue, to make the best of his way towards Etruria<sup>2</sup>.

He no sooner disappeared, than his friends gave out that he was gone into a voluntary exile at Marseilles<sup>3</sup>; which was industriously spread through the city next morning, to raise an odium upon Cicero, for driving an innocent man into banishment without any previous trial or proof of his guilt: but Cicero was too well informed of his motions, to entertain any doubt about his going to Manlius's camp, and into actual rebellion: he knew that he had sent thither already a quantity of arms, and all the ensigns of military command, with that silver eagle, which he used to keep with great superstition in his house, for its having belonged to C. Marius, in his expedition against the Cimbri<sup>4</sup>. But, lest the story should make an ill impression on the city, he called the people together into the Forum, to give them an account of what passed in

Catiline ought, long ago, to have suffered the last punishment: the custom of our ancestors, the discipline of the empire, and the Republic itself required it: but how many would there have been who would not have believed what I charged him with? how many who, through weakness, would never have imagined it, or, through wickedness, would have defended it?—He observes, that if he had put Catiline to death, he should have drawn upon himself such an odium, as would have rendered him unable to prosecute his accomplices, and extirpate the remains of the conspiracy; but, so far from being afraid of him now, he was sorry only that he went off with so few to attend him<sup>1</sup>; that his forces were contemptible, if compared with those of the Republic, made up of a miserable, needy crew, who had wasted their substance, forfeited their bails, and would run away, not only at the sight of an army, but of the prætor's edict:—That those who had deserted his army, and staid behind, were more to be dreaded than the army itself; and the more so, because they knew him to be informed of all their designs, yet were not at all moved by it: that he had had open all their councils in the senate the day before, upon which Catiline was so disheartened, that he immediately fled: that he could not guess what these others meant; if they imagined that he should always use the same lenity, they were much mistaken<sup>2</sup>: for he had now gained what he had hitherto been waiting for, to make all the people see that there was a conspiracy; that now, therefore, there was no more room for clemency, the case itself required severity: yet he would still grant them one thing, to quit the city, and follow Catiline: nay, would tell them the way; it was the Aurelian road, and, if they would make haste, they might overtake him before night. Then, after describing the profligate life and conversation of Catiline and his accomplices<sup>3</sup>, he declares it insufferably impudent for such men to pretend to plot: the lazy against the active, the foolish against the prudent, the drunken against the sober, the drowsy against the vigilant; who, lolling at feasts, embracing mistresses, staggering with wine, stuffed with victuals, crowned with garlands, daubed with perfumes, belch, in their conversations, of massacreing the honest, and firing the city. “If my consulship,” says he, “since it cannot cure, should cut off all these, it would add no small period to the duration of the Republic: for there is no nation which we have reason to fear; no king who can make war upon the Roman people; all disturbances abroad, both by land and sea, are quelled by the virtue of one man; but a domestic war still remains; the treason, the danger, the enemy is

<sup>1</sup> Ibid. 2.<sup>2</sup> Ibid. 3.<sup>3</sup> Ibid. 4.

within: we are to combat with luxury, with madness, with villany: in this war I profess myself your leader, and take upon myself all the animosity of the desperate: whatever can possibly be healed, I will heal; but what ought to be cut off, I will never suffer to spread to the ruin of the city<sup>1</sup>." He then takes notice of the report of Catiline's being driven into exile, but ridicules the weakness of it, and says, that he had put that matter out of doubt, by exposing all his treasons, the day before, in the senate<sup>2</sup>. He laments the wretched condition, not only of governing, but even of preserving states: "For if Catiline," says he, "baffled by my pains and counsels, should really change his mind, drop all thoughts of war, and betake himself to exile, he would not be said to be disarmed and terrified, or driven from his purpose by my vigilance: but, uncondemned and innocent, to be forced into banishment by the threats of the consul; and there would be numbers who would think him not wicked, but unhappy; and me not a diligent consul, but a cruel tyrant." He declares, that though, for the sake of his own ease or character, he should never wish to hear of Catiline's being at the head of an army, yet they would certainly hear it in three days' time: that if men were so perverse as to complain of his being driven away, what would they have said, if he had been put to death? Yet there was not one of those who talked of his going to Marseilles, but would be sorry for it, if it was true, and wished much rather to see him in Manlius's camp<sup>3</sup>: he proceeds to describe, at large, the strength and forces of Catiline, and the different sorts of men of which they were composed; and then, displaying and opposing to them the

and the district of Picenum, to oppose all Catiline's motions on that side : and for settling all matters at home, had summoned the senate to meet again that morning, which, as they saw, was then assembling. As for those, therefore, who were left behind in the city, though they were now enemies, yet, since they were born citizens, he admonished them, again and again, that his lenity had been waiting only, for an opportunity of demonstrating the certainty of the plot; that, for the rest, he should never forget that this was his country, he their consul, who thought it is duty either to live with them, or die for them. "There is no guard," says he, "upon the gates, none to watch the roads; if any one has a mind to withdraw himself, he may go whenever he pleases; but if he makes the least stir within the city, so as to be caught in any overt-act against the Republic, he shall know that there are in it vigilant consuls, excellent magistrates, a stout senate:—that there are arms, and a prison, which our ancestors provided, as the avenger of manifest crimes; and all this shall be transacted in such a manner, citizens, that the greatest disorders shall be quelled without the least hurry; the greatest dangers, without any tumult; a domestic war, the most desperate of any in our memory, by me, your only leader and general, in my gown: which I will manage so, that, as far as it is possible, not one even of the guilty shall suffer punishment in the city: but if their audaciousness, and my country's danger, should necessarily drive me from this mild resolution, yet I will effect, what in so cruel and treacherous a war could hardly be hoped for, that not one honest man shall fall, but all of you be safe by the punishment of a few. This I promise, citizens, not from any confidence in my own prudence, or from any human counsels, but from the many evident declarations of the gods, by whose impulse I am led into this persuasion; who assist us, not as they used to do, at a distance, against foreign and remote enemies, but by their present help and protection, defend their temples and our houses: it is your part, therefore, to worship, implore, and pray to them, that, since all our enemies are now subdued both by land and sea, they would continue to preserve this city, which was designed by them for the most beautiful, the most flourishing, and most powerful on earth, from the most detestable treasons of its own desperate citizens."

We have no account of this day's debate in the senate, which met while Cicero was speaking to the people, and were waiting his coming to them from the rostra: but as to Catiline, after staying a few days on the road, to raise and arm the country through which he passed, and, which his agents had already been disposing to his interests, he marched directly to Manlius's camp, with the fasces and all the ensigus of military

command displayed before him. Upon this news, the senate declared both him and Manlius public enemies, with offers of pardon to all his followers, who were not condemned of capital crimes, if they returned to their duty by a certain day; and ordered the consuls to make new levies, and that Antonius should follow Catiline with the army; Cicero stay at home to guard the city<sup>1</sup>.

It will seem strange to some, that Cicero, when he had certain information of Catiline's treason, instead of seizing him in the city, not only suffered, but urged his escape, and forced him, as it were to begin the war. But there was good reason for what he did, as he frequently intimates in his speeches; he had many enemies among the nobility, and Catiline many secret friends: and though he was perfectly informed of the whole progress and extent of the plot, yet the proofs being not ready to be laid before the public, Catiline's dissimulation still prevailed, and persuaded great numbers of his innocence; so that, if he had imprisoned and punished him, at this time, as he deserved, the whole faction were prepared to raise a general clamour against him, by representing his administration as a tyranny, and the plot as a forgery contrived to support it: whereas, by driving Catiline into rebellion, he made all men see the reality of their danger; while, from an exact account of his troops, he knew them to be so unequal to those of the Republic, that there was no doubt of his being destroyed, if he could be pushed to the necessity of declaring himself, before his other projects were ripe for execution. He knew also, that if Catiline was once driven out of the city, and separated from his accomplices, who were a lazy, drunken,

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Muræna, who had married his sister, though equal to his colleague<sup>1</sup>: he was joined in the accusation disappointed candidates, S. Sulpicius, a person of worth and character, and the most celebrated law-  
for whose service, and at whose instance, Cicero's  
bribery was chiefly provided<sup>2</sup>.

Muræna was bred a soldier, and had acquired in the Mithridatic war, as lieutenant to Lucullus now defended by three, the greatest men, as the greatest orators, of Rome, Crassus, Hortensius, and so that there had seldom been a trial of more expectation of the dignity of the parties concerned character of the accusers. It is reasonable to believe there was clear proof of illegal practices; yet Cicero's speech, which, though imperfect, is the only remaining monument of the transaction, it seems probable, that were such only, as though irregularly speaking, irregular yet warranted by custom, an example of all that and, though heinous in the eyes of a Cato, or an angry petitor, were usually overlooked by the magistrates, as expected by the people.

The accusation consisted of three heads; the scandal of Muræna's life; the want of dignity in his character and family, and bribery in the late election. As to the first, the great crime which Cato charged him with was dancing; to which Cicero's defence is somewhat remarkable: He admonishes Cato not to throw out such a calumny so inconsiderately, or to call the consul of Rome a dancer; but to consider how many other crimes a man must needs be guilty of, before that of dancing could be truly objected to him: since nobody ever danced, even in solitude, or a private meeting of friends, who was not either drunk or mad; for dancing was always the last act of riotous banquets, gay places, and much jollity: that Cato charged him, therefore, with what was the effect of many vices, yet, with none of those, without which that vice could not possibly subsist: with no scandalous feasts, no amours, no nightly revels, no lewdness, no extravagant expense<sup>3</sup>. &c.

As to the second article, the want of dignity, it was urged chiefly by Sulpicius, who being noble, and a patrician, was the more mortified to be defeated by a plebeian, whose extraction he contemned: but Cicero ridicules the vanity of thinking no family good but a patrician; shows that Muræna's

<sup>1</sup> Plut. in Cato.

<sup>2</sup> Legem ambitus flagitasti—gestus est mos et voluntati et dignitati tue. Pro Muræna. 28.

<sup>3</sup> Legatus L. Lucullus fuit: qua in legatione duxit exercitum—magnas copias hostium fudit. urbes partim vi, partim obediunt cepit.—Pro Muræna. 9.

<sup>4</sup> Ibid. 6.

grandfather and great grandfather had been prætors; and that his father also, from the same dignity, had obtained the honour of a triumph: that Sulpicius's nobility was better known to the antiquaries than to the people; since his grandfather had never borne any of the principal offices, nor his father ever mounted higher than the equestrian rank: that being, therefore, the son of a Roman knight, he had always reckoned him in the same class with himself, of those who, by their own industry, had opened their way to the highest honours; that the Curiuses, the Catos, the Pompeiuses, the Mariuses, the Didiiuses, the Cæliuses, were all of the same sort; that when he had broken through that barricade of nobility, and laid the consulship open to the virtuous, as well as to the noble, and when a consul, of an ancient and illustrious descent, was defended by a consul, the son of a knight, he never imagined that the accusers would venture to say a word about the novelty of a family; that he himself had two patrician competitors, the one a profligate and audacious, the other an excellent and modest man; yet that he outdid Catiline in dignity, Galba in interest; and if that had been a crime, in a new man, he should not have wanted enemies to object it to him<sup>1</sup>. He then shows, that the science of arms, in which Muræna excelled, had much more dignity and splendour in it than the science of the law, being that which first gave a name to the Roman people, brought glory to their city, and subdued the world to their empire; that martial virtue had ever been the means of conciliating the favour of the people, and recommending to the honours of the state; and it was but reasonable that it should hold the first place in that city, which was raised by it to be the head of all other

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table; but let its influence be repelled from the dangers and destruction of citizens: for if any one should say, that Cato would not have taken the pains to accuse, if he had not been assured of the crime, he establishes a very unjust law to men in distress, by making the judgment of an accuser to be considered as a prejudice, or previous condemnation of the criminal<sup>1</sup>." He exhorts Cato not to be so severe on what ancient custom and the Republic itself had found useful; nor to deprive the people of the plays, gladiators, and feasts, which their ancestors had approved; nor to take from candidates an opportunity of obliging, by a method of expense, which indicated their generosity, rather than an intention to corrupt<sup>2</sup>.

But whatever Muræna's crime might be, the circumstances, which chiefly favoured him, was the difficulty of the times, and a rebellion actually on foot; which made it neither safe nor prudent to deprive the city of a consul, who, by a military education, was the best qualified to defend it in so dangerous a crisis. This point Cicero dwells much upon, declaring that he undertook this cause, not so much for the sake of Muræna, as of the peace, the liberty, the lives and safety of them all. "Hear, hear," says he, "your consul, who, not to speak arrogantly, thinks of nothing, day and night, but of the Republic: Catiline does not despise us so far, as to hope to subdue this city with the force which he has carried out with him: the contagion is spread wider than you imagine; the Trojan horse is within our walls; which while I am consul, shall never oppress you in your sleep. If it be asked, then, what reason I have to fear Catiline? none at all; and I have taken care that nobody else need fear him: yet I say, that we have cause to fear those troops of his, which I see in this very place. Nor is his army so much to be dreaded, as those who are said to have deserted it: for in truth, they have not deserted, but are left by him only as spies upon us, and placed, as it were, in ambush, to destroy us the more securely: all these want to see a worthy consul, an experienced general, a man both by nature and fortunes attached to the interests of the Republic, driven by your sentence from the guard and custody of the city<sup>3</sup>." After urging this topic with great warmth and force, he adds, "We are now come to the crisis and extremity of our danger; there is no resource or recovery for us, if we now miscarry; it is no time to throw away any of the helps which we have, but, by all means possible, to acquire more. The enemy is not on the banks of the Anio, which was thought so terrible in the Punic war, but in the city and the Forum. Good gods! (I cannot speak it without a sigh,) there are some enemies in the very sanc-

<sup>1</sup> Ibid. 28.

<sup>2</sup> Ibid. 36.

<sup>3</sup> Ibid. 37.

tuary; some, I say, even in the senate! The gods grant that my colleague may quell this rebellion by our arms; whilst I, in the gown, by the assistance of all the honest, will dispel the other dangers with which the city is now big. But what will become of us, if they should slip through our hands into the new year, and find but one consul in the Republic, and him employed not in prosecuting the war, but in providing a colleague? Then this plague of Catiline will break out in all its fury, spreading terror, confusion, fire and sword, through the city," &c. This consideration, so forcibly urged, of the necessity of having two consuls, for the guard of the city, at the opening of the new year, had such weight with the judges, that, without any deliberation, they unanimously acquitted Murræna, and would not, as Cicero says, so much as hear the accusation of men the most eminent and illustrious<sup>2</sup>.

Cicero had a strict intimacy all this while with Sulpicius, whom he had served with all his interest, in this very contest for the consulship<sup>3</sup>. He had a great friendship also with Cato, and the highest esteem of his integrity: yet he not only defended this cause against them both, but, to take off the prejudice of their authority, laboured even to make them ridiculous; rallying the profession of Sulpicius as trifling and contemptible, the principles of Cato as absurd and impracticable, with so much humour and wit, that he made the whole audience very merry, and forced Cato to cry out, "What a facetious consul have we!" But, what is more observable, the opposition of these great men, in an affair so interesting, gave no sort of interruption to their friendship, which continued as firm as ever to the end of their lives: and Cicero

the Republic itself, which, by a wise policy, imposed it as a duty on its subjects to defend their fellow-citizens in their dangers, without regard to any friendships or engagements whatsoever<sup>1</sup>. The examples of this kind will be more or less frequent in states, in proportion as the public happens to be the ruling principle; for that is a bond of union too firm to be broken by any little differences about the measures of pursuing it: but where private ambition and party zeal have the ascendant, there every opposition must necessarily create animosity, as it obstructs the acquisition of that good, which is considered as the chief end of life, private benefit and advantage.

Before the trial of Muræna, Cicero had pleaded another case of the same kind in the defence of C. Piso, who had been consul four years before, and acquired the character of a brave and vigorous magistrate: but we have no remains of the speech, nor any thing more said of it, by Cicero, than that Piso was acquitted, on account of his laudable behaviour in his consulship<sup>2</sup>. We learn, however, from Sallust, that he was accused of oppression and extortion in his government, and that the prosecution was promoted chiefly by J. Cæsar, out of revenge for Piso's having arbitrarily punished one of his friends or clients in Cisalpine Gaul<sup>3</sup>.

But to return to the affair of the conspiracy.—Lentulus and the rest, who were left in the city, were preparing all things for the execution of their grand design, and soliciting men of all ranks, who seemed likely to favour their cause, or to be of any use to it. Among the rest, they agreed to make an attempt on the ambassadors of the Allobroges, a warlike, mutinous, faithless people, inhabiting the countries now called Savoy and Dauphiny, greatly disaffected to the Roman power, and already ripe for rebellion. These ambassadors, who were preparing to return home much out of humour with the senate, and without any redress of the grievances which they were sent to complain of, received the proposal at first very greedily, and promised to engage their nation to assist the conspirators with what they principally wanted<sup>4</sup>, a good body of horse whenever they should begin the war; but reflecting afterwards, in their cooler thoughts on the difficulty of the enterprize, and the danger of involving themselves and their country in so desperate a cause, they resolved to discover what they knew to Q. Fabius Sanga, the patron of their city, who immediately gave intelligence of it to the consul<sup>5</sup>.

<sup>1</sup> Hanc nobis a majoribus esse traditam disciplinam, ut nullius amicitia ad propulsanda pericula impediremur. Pro Sylla, 17.

<sup>2</sup> Pro Flacco, 39.

<sup>3</sup> Sallust, 49.

<sup>4</sup> Ut equitatum in Italiam quamprimum mitterent. In Catil. 3, 4.

<sup>5</sup> Allobroges diu incertum habuere, quidnam consilii caperent.—Itaque Q. Fabio Sanga rem omnem, ut cognoverunt, aperiunt. Sallust. 41.

Cicero's instructions upon it were, that the ambassadors should continue to feign the same zeal which they had hitherto shown, and promise every thing that was required of them, till they had got a full insight into the extent of the plot, with distinct proofs against the particular actors in it<sup>1</sup>: upon which at their next conference with the conspirators, they insisted on having some credentials from them to show to their people at home, without which they would never be induced to enter into an engagement so hazardous. This was thought reasonable, and presently complied with; and Vulturcius was appointed to go along with the ambassadors, and introduce them to Catiline on their road, in order to confirm the agreement, and exchange assurances also with him; to whom Lentulus sent at the same time a particular letter, under his own hand and seal, though without the name. Cicero, being punctually informed of all these facts, concerted privately with the ambassadors, the time and manner of their leaving Rome in the night, and that on the Milvian bridge, about a mile from the city, they should be arrested with their papers and letters about them by two of the prætors, L. Flaccus and C. Pontinius, whom he had instructed for that purpose, and ordered to lie in ambush near the place, with a strong guard of friends and soldiers: all which was successfully executed, and the whole company brought prisoners to Cicero's house by break of day<sup>2</sup>.

The rumour of this accident presently drew a resort of Cicero's principal friends about him, who advised him to open the letters before he produced them in the senate, lest, if nothing of moment were found in them, it might be thought rash and imprudent to raise an unnecessary terror and alarm

and seal; and, when his letter was read, to the same purport with Cethegus's, he confessed it to be his own. Then Lentulus's letter was produced, and his seal likewise owned him; which Cicero perceiving to be the head of his grandfather, could not help expostulating with him, "that the image of such an ancestor, so remarkable for a singular love of his country, had not reclaimed him from his traitorous designs." His letter was of the same import with the other two; but, having leave to speak for himself, he at first denied the whole charge, and began to question the ambassadors and Vulturcius, what business they ever had with him, and on what occasion they came to his house; to which they gave clear and distinct answers; signifying by whom, and how often they had been introduced to him; and then asked him, in their turn, whether he had never mentioned any thing to them about the Sibylline oracles; upon which, being confounded, or infatuated rather by the sense of his guilt, he gave a remarkable proof, as Cicero says, of the great force of conscience: for, not only his usual parts and eloquence, but his impudence too, in which he outdid all men, quite failed him; so that he confessed his crime, to the surprise of the whole assembly. Then Vulturcius desired that the letter to Catiline, which Lentulus had sent by him, might be opened, where Lentulus again, though greatly disordered, acknowledged his hand and seal: it was written without any name, but to this effect: "You will know who I am, from him whom I have sent to you. Take care to show yourself a man, and recollect in what situation you are; and consider what is now necessary for you. Be sure to make use of the assistance of all, even of the lowest." (Cicero's

Cicero's name, for his having preserved the city from a conflagration, the citizens from a massacre, and Italy from a war."

The senate being dismissed, Cicero went directly into the forum, and gave the people an account of the whole proceeding, in the manner as it is just related: where he observed to them, that the thanksgiving decreed in his name, was the first which had ever been decreed to any man in the gown: that all other thanksgivings had been appointed for some particular services to the Republic; this alone for saving it: that, by the seizure of these accomplices, all Catiline's hopes were blasted at once; for when he was driving Catiline out of the city, he foresaw that if he was once removed, there would be nothing to apprehend from the drowsiness of Lentulus, the fat of Cassius, or the rashness of Cethegus: that Catiline was the life and soul of the conspiracy; who never took a thing to be done, because he had ordered it; but always followed, solicited, and saw it done himself: that, if he had not driven him from his secret plots, into open rebellion, he could never have delivered the Republic from its dangers, or never, at least, with so much ease and quiet: that Catiline would not have named the fatal day for their destruction so long beforehand; nor ever suffered his hand and seal to be brought against him, as the manifest proof of his guilt; all which was so managed, in his absence, that no theft in any private house was ever more clearly detected than this whole conspiracy: that all this was the pure effect of a divine influence; not only for its being above the reach of human counsel, but because the gods had so remarkably interposed in it, as to show themselves almost visibly: for, not to mention the nightly streams of light from the western sky, the blazing of the heavens, flashes of lightning, earthquakes, &c. he could not omit what happened two years before, when the turrets of the Capitol were struck down with lightning; how the soothsayers, called together from all Etruria, declared, that fire, slaughter, the overthrow of the laws, civil war, and the ruin of the city were portended, unless some means were found out of appeasing the gods: for which purpose they ordered a new and larger statue of Jupiter to be made, and to be placed in a position contrary to that of the former image, with its face turned towards the east; intimating, that if it looked towards the rising sun, the Forum, and the senate-house, then all plots against the state would be detected so evidently, that all the world should see them; that, upon

<sup>1</sup> In Ocell. 3. 5, 6.

<sup>2</sup> Quod mihi primum post hanc urbem conditam togato contigit—que supplicatio, si cum ceteris conferatur, Quirites, hoc interest, quod ceteræ bene gesta, hæc una conservata Republica constituta est. Ibid. 6.

this answer, the consuls of that year gave immediate orders for making and placing the statue; but, from the slow progress of the work, neither they, nor their successors, nor he himself, could get it finished till that very day: on which, by the special influence of Jupiter, while the conspirators and witnesses were carried through the Forum to the temple of Concord, in that very moment the statue was fixed in its place; and, being turned to look upon them and the senate, both they and the senate saw the whole conspiracy detected. And can any man, says he, be such an enemy to truth, so rash, so mad, as to deny, that all things which we see, and, above all, that this city is governed by the power and providence of the gods? He proceeds to observe, that the conspirators must needs be under a divine and judicial infatuation, and could never have trusted affairs and letters of such moment to men barbarous and unknown to them, if the gods had not confounded their senses: and that the ambassadors of a nation so disaffected, and so able and willing to make war upon them, should slight the hopes of dominion, and the advantageous offers of men of patrician rank, must needs be the effect of a divine interposition; especially when they might have gained their ends, not by fighting, but by holding their tongues. He exhorts them, therefore, to celebrate that thanksgiving day religiously, with their wives and children. That, for all his pains and services, he desired no other reward or honour, but the perpetual remembrance of that day: in this he placed all his triumphs and his glory, to have the memory of that day eternally propagated to the safety of the city, and the honour of his consulship: to have it remembered, that there were two

if all their rage at last, when repelled from the people, should turn singly upon him, they should consider what a discouragement it would be hereafter to those, who should expose themselves to danger for their safety. That for his part, he would ever support and defend, in his private condition, what he had acted in his consulship, and show, that what he had done was not the effect of chance, but of virtue: that if any envy should be stirred up against him, it might hurt the envious, but advance his glory. Lastly, since it was now night, he bade them all go home, and pray to Jupiter, the guardian of them and the city; and though the danger was now over, to keep the same watch in their houses as before, for fear of any surprise; and he would take care that they would have no occasion to do it any longer.

While the prisoners were before the senate, Cicero desired some of the senators, who could write short hand, to take notes of every thing that was said; and when the whole examination was finished, and reduced into an act, he set all the clerks at work, to transcribe copies of it, which he dispersed presently through Italy and all the provinces, to prevent any invidious misrepresentation of what was so clearly attested and confessed by the criminals themselves<sup>1</sup>, who for the present, were committed to the free custody of the magistrates and senators of their acquaintance<sup>2</sup>, till the senate should come to a final resolution about them. All this passed on the third of December, a day of no small fatigue to Cicero, who, from break of day till the evening, seems to have been engaged, without any refreshment, in examining the witnesses and the criminals, and procuring the decree which was consequent upon it: and, when that was over, in giving a narrative of the whole transaction to the people, who were waiting for that purpose in the Forum. The same night his wife Terentia, with the vestal virgins and the principal matrons of Rome, was performing at home, according to annual custom, the mystic rites of the goddess Bona, or the good, to which no male creature was ever admitted; and, till that function was over, he was excluded also from his own house, and forced to retire to a neighbour's; where, with a select council of friends, he began to deliberate about the method of punishing the traitors; when his wife came, in all haste, to inform him of a prodigy, which had just happened amongst them; for the sacrifice being over, and the fire of the altar seemingly extinct, a bright flame issued suddenly

<sup>1</sup> Constitui senatores, qui omnium indicum dicta, interrogata, responsa perscriberent: describi ab omnibus statim librariis, dividi passim et pervulgari atque edi populo Romano imperavi—divisi toti Italiae, emisi in omnes provincias. Pro Syll. 14, 15.

<sup>2</sup> Ut abdicato magistratu, Lentulus, itemque ceteri in liberis custodiis habeantur. Itaque Lentulus, P. Lentulo Spintheri, qui tum Ædilis erat; Cethegus Cornificio, &c. Sallust. 47.

future peace and safety they began to be solicitous<sup>1</sup>: when Cicero, observing the inclination of the house, and rising up to put the question, made his fourth speech, which now remains, on the subject of this transaction; in which he delivered his sentiments with all the skill both of the orator and the statesman: and, while he seemed to show a perfect neutrality, and to give equal commendation to both the opinions, was artfully labouring, all the while, to turn the scale in favour of Silanus's, which he considered as a necessary example of severity in the present circumstances of the Republic.

He declared, that though it was a pleasure to him to observe the concern and solicitude which the senate had expressed on his account, yet he begged of them to lay it all aside, and, without any regard to him, to think only of themselves and their families: that he was willing to suffer any persecution, if, by his labours, he could secure their dignity and safety: that his life had been oft attempted in the Forum, the field of Mars, the senate, his own house, and in his very bed: that, for their quiet, he had digested many things against his will, without speaking of them: but, if the gods would grant that issue to his consulship, of saving them from a massacre, the city from flames, all Italy from war, let what fate soever attend himself, he would be content with it<sup>2</sup>. He presses them, therefore, to turn their whole care upon the state; that it was not a Gracchus, or a Saturninus, who was now in judgment before them; but traitors, whose design it was to destroy the city by fire, the senate and people by a massacre; who had solicited the Gauls, and the very slaves, to join with them in their treason, of which they had all been convicted by letters,

was with the last severity: the one thought, that those who attempted to deprive them all of life, and to extinguish the very name of Rome, ought not to enjoy the benefit of living a moment: and he had showed withal, that this punishment had often been inflicted on seditious citizens: the other imagined, that death was not designed by the gods for a punishment, but the cure of our miseries: so that the wise never suffered it unwillingly, the brave often sought it voluntarily; but that bonds and imprisonment, especially if perpetual, were contrived for the punishment of detestable crimes: these therefore, he ordered to be provided for them in the great towns of Italy: yet, in this proposal, there seemed to be some injustice, if the senate was to impose that burden upon the towns, or some difficulty, if they were only to desire it: yet, if they thought fit to decree it, he would undertake to find those, who would not refuse to comply with it for the public good: that Cæsar, by adding a penalty on the towns, if any of the criminals should escape, and enjoining so horrible a confinement, without a possibility of being released from it, had deprived them of all hope, the only comfort of unhappy mortals: he had ordered their estates also to be confiscated, and left them nothing but life, which, if he had taken away, he would have freed them at once of all farther pain, either of mind or body; for it was on this account that the ancients invented those infernal punishments of the dead, to keep the wicked under some awe in this life, who, without them, would have no dread of death itself<sup>1</sup>. That, for his own part, he saw how much it was his interest that they should follow Cæsar's opinion, who had always pursued popular measures; and, by being the author of that vote, would secure him from any attack of popular envy: but if they followed Silanus's, he did not know what trouble it might create to himself; yet that the service of the Republic ought to supersede all considerations of his danger: that Cæsar, by this proposal, had given them a perpetual pledge of his affection to the state, and showed the difference between the affected lenity of their daily declaimers, and a mind truly popular, which sought nothing but the real good of the people: that he could not but observe, that one of those, who valued themselves on being popular, had absented himself from this day's debate, that he might not give a vote upon the life of a citizen; yet, by concurring with them in all their previous votes, he had already passed a judgment on the merits of the cause; that, as to the objection urged by Cæsar, of Gracchus's law, forbidding to put citizens to death, it should

<sup>1</sup> Itaque ut aliqua in vita formido improbis esset posita, apud inferos ejusmodi quædam alii antiqui supplicia impie constituta esse voluerunt, quod videlicet intelligebant, his renotis, non esse mortem ipsam pertinendam. Ibid. 4.

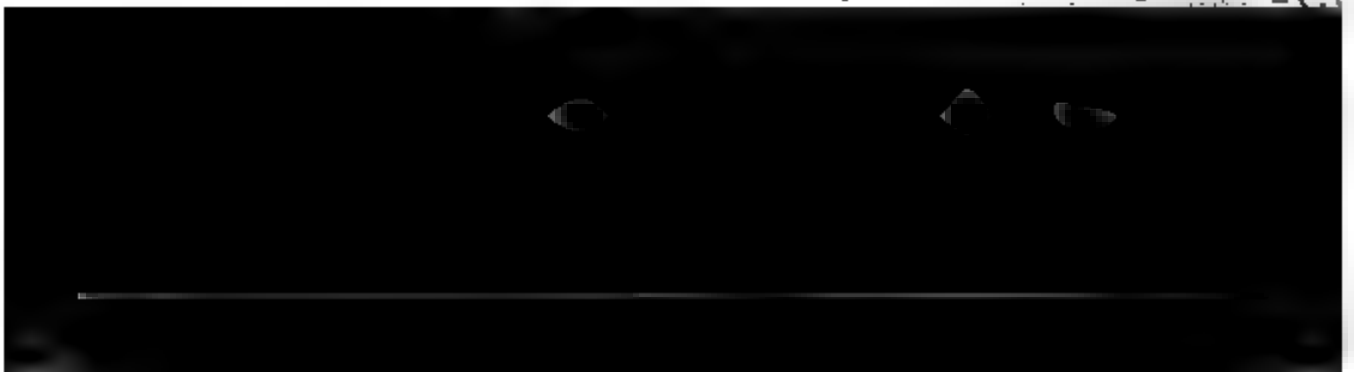
1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability.

2. The second part outlines the various methods used to collect and analyze data. It mentions the use of surveys, interviews, and focus groups to gather information from participants.

3. The third part describes the results of the study. It highlights the key findings and discusses their implications for future research and practice.

4. The fourth part concludes the document by summarizing the main points and providing recommendations for further action.

5. The final part of the document includes a list of references and a bibliography, citing the sources used in the study.



lence of the factions should ever defeat his hopes, he recommended to them his infant son, and trusted, that it would be a sufficient guard, not only of his safety, but of his dignity, to have it remembered, that he was the son of one, who, at the hazard of his own life, had preserved the lives of them all. He concludes, by exhorting them to act with the same courage which they had hitherto shown through all this affair, and to proceed to some resolute and vigorous decree; since their lives and liberties, the safety of the city, of Italy, and the whole empire depended upon it.

This speech had the desired effect; and Cicero, by discovering his own inclination, gave a turn to the inclination of the senate; when Cato, one of the new tribunes, rose up, and, after extolling Cicero to the skies<sup>1</sup>, and recommending to the assembly the authority of his example and judgment, proceeded to declare, agreeably to his temper and principles, that he was surprised to see any debate about the punishment of men, who had begun an actual war against their country: that their deliberation should be, how to secure themselves against them, rather than how to punish them; that other crimes might be punished after commission, but, unless this was prevented before its effect, it would be vain to seek a remedy after: that the debate was not about the public revenues, or the oppressions of the allies, but about their own lives and liberties; not about the discipline or manners of the city, on which he had oft delivered his mind in that place; nor about the greatness or prosperity of their empire; but whether they or their enemies should possess that empire; and, in such a case, there could be no room for mercy: that they had long since lost, and con-

for themselves: that they were not deliberating on the fate only of the conspirators, but of Catiline's whole army, which would be animated or dejected, in proportion to the vigour or remissness of their decrees: that it was not the arms of their ancestors which made Rome so great, but their discipline and manners, which were now depraved and corrupted: that, in the extremity of danger, it was a shame to see them so indolent and irresolute, waiting for each other to speak first, and trusting, like women, to the gods, without doing any thing for themselves: that the help of the gods was not to be obtained by idle vows and supplications: that success attended the vigilant, the active, the provident; and when people gave themselves up to sloth and laziness, it was in vain for them to pray; they would find the gods angry with them: that the flagitious lives of the criminals confuted every argument of mercy: that Catiline was hovering over them with an army, while his accomplices were within the walls, and in the very heart of the city; so that, whatever they determined, it could not be kept secret, which made it the more necessary to determine quickly. Wherefore, his opinion was, that since the criminals had been convicted, both by testimony and their own confession, of a detestable treason against the Republic, they should suffer the punishment of death, according to the custom of their ancestors<sup>1</sup>.

Cato's authority, added to the impression which Cicero had already made, put an end to the debate; and the senate, applauding his vigour and resolution, resolved upon a decree in consequence of it<sup>2</sup>. And, though Silanus had first proposed that opinion, and was followed in it by all the consular senators, yet they ordered the decree to be drawn in Cato's words, because he had delivered himself more fully and explicitly upon it, than any of them<sup>3</sup>. The vote was no sooner passed, than Cicero resolved to put it in execution, lest the night, which was coming on, should produce any new disturbance: he went directly, therefore, from the senate, attended by a numerous guard of friends and citizens, and took Lentulus from the custody of his kinsman, Lentulus Spinther, and conveyed him through the Forum to the common prison, where he delivered him to the executioners, who presently strangled him. The other conspirators, Cethegus, Statilius, and Gabinius, were conducted to their execution by the prætors, and put to death in the same manner, together with Caparius, the only one of their accomplices, who was taken after the examination<sup>4</sup>.

<sup>1</sup> Sallust. 52.

<sup>2</sup> Ibid. 53.

<sup>3</sup> Idcirco in ejus sententiam est facta discessio. Ad Att. 12. 21.

<sup>4</sup> Sallust. 55.

and knowing that he should quickly have soldiers enough, if his friends performed their part at home<sup>1</sup>. So that, when the consul Antonius approached towards him with his army, he shifted his quarters, and made frequent motions and marches through the mountains, sometimes towards Gaul, sometimes towards the city, in order to avoid an engagement till he could hear some news from Rome; but, when the fatal account came, of the death of Lentulus and the rest, the face of his affairs began presently to change, and his army to dwindle apace, by the desertion of those, whom the hopes of victory and plunder had invited to his camp. His first attempt, therefore, was by long marches and private roads through the Appennine, to make his escape into Gaul: but Q. Metellus, who had been sent thither by Cicero, imagining that he would take that resolution, had secured all the passes, and posted himself so advantageously, with an army of three legions, that it was impossible for him to force his way on that side; whilst, on the other, the consul Antonius, with a much greater force, blocked him up behind, and inclosed him within the mountains<sup>2</sup>. Antonius himself had no inclination to fight, or, at least, with Catiline; but would willingly have given him an opportunity to escape, had not his quæstor Sextius, who was Cicero's creature, and his lieutenant Petreius, urged him on against his will, to force Catiline to the necessity of a battle<sup>3</sup>: who, seeing all things desperate, and nothing left but either to die or conquer, resolved to try his fortune against Antonius, though much the stronger, rather than Metellus; in hopes still, that out of regard to their former engagements, he might possibly contrive some way, at last, of throwing the victory into his hands<sup>4</sup>. But, Antonius happened to be seized, at that very time, with a fit of the gout, or pretended, at least, to be so, that he might have no share in the destruction of an old friend: so that the command fell, of course, to a much better soldier and honest man, Petreius; who, after a sharp and bloody action, in which he lost a considerable part of his best troops, destroyed Catiline and his whole army, fighting desperately to the last man<sup>5</sup>. They all fell in the very ranks in which they stood; and, as if inspired

<sup>1</sup> Sperabat propediem magnas copias se habiturum, si Romæ socii auxilia pervenissent — interea servitia repudiabat. Sallust. 56.

<sup>2</sup> Ibid. 57.

<sup>3</sup> Hoc breve dicam: si M. Petreii non excellens animo et amore Reip. virtus, non summa auctoritas apud milites, non mirificus usus in re militari extitisset, neque adeo ei P. Sextius ad excitandum Antonium, cohortandum, ac impellendum fuisset, datus illo in bello esset hiemi locus, &c.

Sextius, cum suo exercitu, summa celeritate est Antonium consecutus. Hic ego quid prædicem, quibus rebus consulem ad rem gerendam excitavit, quos studiosos admo-  
verit, &c. Pro Sexti. 5.

<sup>4</sup> Αἴτιον δὲ, ὅτι ἐλπίζα αὐτοῦ κατὰ τὸ συνωμοτὸν ἐξελδοκακῆσαι ἐσχεν. Dio. l. 37. p. 47.

<sup>5</sup> Sallust. 59.

with the genuine spirit of their leader, fought, not so much to conquer, as to sell their lives as dear as they could; and as Catiline had threatened in the senate, to mingle the public calamity with their own ruin.

Thus ended this famed conspiracy: in which some of the greatest men in Rome were suspected to be privately engaged, particularly Crassus and Caesar: they were both influenced by the same motive, and might hope, perhaps, by their interest in the city, to advance themselves in the general confusion, to that sovereign power which they aimed at. Crassus, who had always been Cicero's enemy, by an officiousness of bringing letters and intelligence to him, during the alarm of the plot, seemed to betray a consciousness of some guilt<sup>1</sup>; and Caesar's whole life made it probable, that there could hardly be any plot in which he had not some share; and in this, there was so general a suspicion upon him, especially after his speech in favour of the criminals, that he had some difficulty to escape with life from the rage of the knights, who guarded the avenues of the senate; where he durst not venture to appear any more, till he entered upon his prætorship with the new year<sup>2</sup>. Crassus was actually accused, by one Tarquinius, who was taken upon the road as he was going to Catiline, and, upon promise of pardon, made a discovery of what he knew; where, after confirming what the other witnesses had deposed, he added that he was sent by Crassus to Catiline, with advice to him, not to be discouraged by the seizure of his accomplices, but to make the greater haste, for that reason, to the city, in order to rescue them, and revive the spirits of his other friends. At the name of Crassus the senate were so shocked, that they

contagion of the city, not to cut off, but to heal every part that was curable. So that, when some information was given likewise against Caesar, he chose to stifle it, and could not be persuaded to charge him with the plot, by the most pressing solicitations of Catulus and Piso, who were both his particular enemies; the one for the loss of the high priesthood, the other for the impeachment above mentioned<sup>1</sup>.

Whilst the sense of all these services was fresh, Cicero was repaid for them to the full of his wishes, and, in the very way that he desired, by the warm and grateful applauses of all orders of the city. For, besides the honours already mentioned, L. Gellius, who had been consul and censor, said, in a speech to the senate, that the Republic owed him a civic crown, for having saved them all from ruin<sup>2</sup>: and Catulus, in a public house, declared him the father of his country<sup>3</sup>; as Cato likewise did from the rostra, with the loud acclamations of the whole people<sup>4</sup>: whence Pliny, in honour of his memory, cries out, "Hail thou, who wast first saluted the parent of thy country<sup>5</sup>." This title, the most glorious which a mortal can wear, was from this precedent, usurped afterwards by those, who, of all mortals, deserved it the least, the emperors; proud to extort from slaves and flatterers, what Cicero obtained from the free vote of the senate and people of Rome.

—Roma parentem,  
Roma patrem patriæ Ciceronem libera dixit.—Juv. 8.  
Thee, Cicero, Rome while free, nor yet enthral'd  
To tyrant's will, thy country's parent call'd.

All the towns of Italy followed the example of the metropolis, in decreeing extraordinary honours to him; and Capua in particular, chose him their patron, and erected a gilt statue to him<sup>6</sup>.

Sallust, who allows him the character of an excellent consul, says not a word of any of these honours, nor gives him any greater share of praise, than what could not be dissembled by an historian. There are two obvious reasons for this reservedness; first, the personal enmity, which, according to tradition, subsisted between them; secondly, the time of publishing his history, in the reign of Augustus, while the name of Cicero was still obnoxious to envy. The other consul, Antonius, had but a small share of the thanks and honours which were

<sup>1</sup> Appian. Bell. civ. l. 2. p. 430. Sallust. 49.

<sup>2</sup> L. Gellius, his audientibus, civicam coronam deberi a Republica dixit. In Pison. 3. it. A. Gell. 5, 6.

<sup>3</sup> Me Q. Catulus, princeps hujus ordinis, frequentissimo senatu Parentem Patriæ nominavit. In Pis. 3.

<sup>4</sup> Plut. in Cic.—Κάτωτος δ' αὐτὸν καὶ πατέρα τῆς πατρίδος προσαγορεύσαντος, ἐπεβόησεν ὁ δῆμος. Appian. p. 431.

<sup>5</sup> Salve, primus omnium parens patriæ appellate, &c. Plin. Hist. N. 7. 30.

<sup>6</sup> Me inaurata status donarant: me patronum unum adsciverant. In Pis. 11.

concerned about this occasion. He was known to have been engaged in the same cause with Cato, and considered as acting out honor & duty, and doing meritorious service, as it were, for the state. In the end, the senate, which was taken of him, & the people, who in part like the slight commendation above mentioned, by having received in his refuge companions, took his conduct into consideration.

From this we may see the year: the year, as it has been, was against himself in reputation: the senate, to correct the error of a judgment which had been made: there is an honorary sentence of censure, pronounced against him by the senate to any of its members, when they are engaged in their private affairs, in order to give them a public character, and a right to be treated as ambassadors or magistrates: which, by the insolence of these great people, was become a grievous burden upon the states and cities through which they passed. Cicero's design was to avoid it: but being driven from that by one of the tribunes, he was content to restrain the continuance of it, which before was unlimited, to the term of one year.

At his first entrance into his office, L. Lucullus was soliciting the demand of a triumph for his victories over Mithridates, in which he had been obstructed for three years successively, by the intrigues of some of the magistrates, who paid their court to Pompey, by putting this affront upon his rival. By the law and custom of the Republic, no general, while he was in actual command, could come within the gates of Rome, without forfeiting his commission, and, consequently, all pretensions to a triumph: so that Lucullus continued, all

reasonably hope for in life, and, observing the turbulent and distracted state of the city, he withdrew himself, not long after, from public affairs, to spend the remainder of his days in a polite and splendid retreat<sup>1</sup>. He was a generous patron of learning, and himself eminently learned; so that his house was the constant resort of the principal scholars and wits of Greece and Rome; where he had provided a well-furnished library, with porticos and galleries annexed, for the convenience of walks and literary conferences, at which he himself used frequently to assist: giving an example to the world, of a life truly noble and elegant, if it had not been sullied by too great a tincture of Asiatic softness and Epicurean luxury.

After this act of justice to Lucullus, Cicero had an opportunity, before the expiration of his consulship, to pay all due honour, likewise, to his friend Pompey; who, since he last left Rome, had gloriously finished the Piratic and Mithridatic war, by the destruction of Mithridates himself: upon the receipt of which news, the senate, at the motion of Cicero, decreed a public thanksgiving in his name, of ten days: which was twice as long as had ever been decreed before to any general, even to Marius himself, for his Cimbric victory<sup>2</sup>.

But before we close the account of the memorable events of this year, we must not omit the mention of one, which distinguished it afterwards, as a particular era in the annals of Rome, the birth of Octavius, surnamed Augustus, which happened on the 23rd of September. Velleius calls it an accession of glory to Cicero's consulship<sup>3</sup>: but it excites speculations rather of a different sort; on the inscrutable methods of Providence, and the short-sighted policy of man; that, in the moment when Rome was preserved from destruction, and its liberty thought to be established more firmly than ever, an infant should be thrown into the world, who, within the course of twenty years, effected what Catiline had attempted, and destroyed both Cicero and the Republic. If Rome could have been saved by human counsel, it would have been saved by the skill of Cicero; but its destiny was now approaching: for governments, like natural bodies, have, with the principles of their preservation, the seeds of ruin also essentially mixed in their constitution, which, after a certain period, begin to operate and exert themselves to the dissolution of the vital frame. These seeds had long been fermenting in the bowels of the Republic; when Octavius came, peculiarly formed by nature, and instructed

<sup>1</sup> Plut. in Lucull.

<sup>2</sup> Quo consule referente, primum decem dierum supplicatio decreta Cn. Pompeio Mithridate interfecto; ejus sententia primum duplicata est supplicatio consularis. De provinc. Consular. xi.

<sup>3</sup> Consulatus Ciceronis non modico adjecit decus, natus eo anno D. Augustus. Vell. 2. 36. Sueton. c. A. Dio, p. 690.

## THE LIFE

in art to quantify their opinions and exalt them to the heights.

CICERO'S ADMINISTRATION was now at an end, and nothing remained but to await the inauguration, according to custom, in an assembly of the people, and to take the usual oath, of his having discharged his duty. This was generally accomplished with a speech from the retiring consul: and, after such a year, and from such a colleague, the city was in no small expectation of what Cicero would say to them: but Metellus, one of the new tribunes who affected commonly to open their mouths in some remarkable act as a specimen of the measures which they intended to pursue, resolved to disappoint both the people and the audience. For, when Cicero had mounted the rostrum and was ready to perform this last act of his office, the tribune would not suffer him to speak, or to do any thing more, than hastily take the oath: declaring, that he, who had just accused in public assembly, ought not to be permitted to speak for himself: and when Cicero who was never at a loss, instead of pronouncing the ordinary form of the oath, exalting the name of his country, swore out loud, so as all the people might hear him, that he had saved the Republic and the city from ruin: which the multitude below confirmed with an universal shout, and with one voice, cried out, that what he had sworn was true. Thus the intended affront was turned, by his presence of mind, to his greater honour: and he was conducted from the Forum to his house, with all possible demonstrations of respect by the whole city.

A. Urb. 691. Cic. 45. Cons. — D. Julius Silanus. L. Lucinius Muræna.

ars, who were justly reckoned the first citizens of the Republic. They delivered their opinions the first always in the senate; and, commonly, determined the opinions of the rest: for, as they had passed through all the public offices, and been conversant in every branch of the administration, so their experience gave them great authority in all debates; and, having little or nothing further to expect for themselves, they were esteemed, not only the most knowing, but, generally speaking, the most disinterested of all the other senators, and to have no other view in their deliberations, but the peace and prosperity of the Republic.

This was a station exactly suited to Cicero's temper and wishes; he desired no foreign governments, or command of armies; his province was the senate and the Forum; to guard, as it were, the vitals of the empire, and to direct all its councils to their proper end—the general good: and, in this advanced post of a consular senator, as in a watch-tower of the state, to observe each threatening cloud and rising storm, and give the alarm to his fellow-citizens from what quarter it was coming, and by what means its effects might be prevented<sup>1</sup>. This, as he frequently intimates, was the only glory that he sought, the comfort with which he flattered himself, that, after a life of ambition and fatigue, and a course of faithful services to the Republic, he should enjoy a quiet and secure old age, beloved and honoured by his countrymen, as the constant champion and defender of all their rights and liberties. But he soon found himself mistaken, and, before he had quitted his office, began to feel the weight of that envy, which is the certain fruit of illustrious merit: for the vigour of his consulship had raised such a zeal and union of all the honest, in the defence of the laws, that till this spirit could be broken, or subside again, it was in vain for the ambitious to aim at any power, but through the ordinary forms of the constitution; especially while he, who was the soul of that union, continued to flourish in full credit, at the head of the senate. He was now, therefore, the common mark, not only of all the factious, against whom he had declared perpetual war, but of another party, not less dangerous, the envious too; whose united spleen never left pursuing him from this moment, till they had driven him out of that city, which he had so lately preserved.

The tribune Metellus began the attack; a fit leader for the purpose; who, from the nobility of his birth, and the authority of his office, was the most likely to stir up some ill humour

<sup>1</sup> Idcirco in hac custodia et tanquam in specula collocati sumus, ut vacuum omni metu populum Romanum nostra vigilia et prospicientia redderemus. Phil. 7. 7.

A. U. C. 691. Cic. 45. Cons.—D. Junius Silvanus. L. Licinius Murena.

against him, by insulting and reviling him, in all his harangues for putting citizens to death without a trial: in all which he was strenuously supported by Cæsar, who pushed him on, likewise, to the promulgation of several pestilent laws, which gave great disturbance to the senate. Cicero had no inclination to enter into a contest with the tribune, but took some pains to make up the matter with him, by the interposition of the women; particularly of Claudia, the wife of his brother Metellus, and of their sister Mucia, the wife of Pompey; he employed, also, several common friends, to persuade him to be quiet, and desist from his rashness; but his answer was, that he was too far engaged, and had put it out of his power; so that Cicero had nothing left, but to exert all his vigour and eloquence, to repel the insults of this petulant magistrate.

Cæsar, at the same time, was attacking Catulus, with no less violence; and being now in possession of the prætorship, made it the first act of his office to call him to an account for embezzling the public money, in rebuilding the Capitol; and proposed also a law, to efface his name from the fabric, and grant the commission for finishing what remained to Pompey; but the senate bestirred themselves so warmly in the cause, that Cæsar was obliged to drop it. This experiment convinced the two magistrates, that it was not possible for them to make head against the authority of the senate, without the help of Pompey, whom they resolved, therefore, by all the arts of address and flattery, to draw into their measures. With this view, Metellus published a law, to call him home, with his army, in order to settle

A. Urb. 691. Cic. 45. Cons.—D. Junius Silanus. L. Læcinus Muræna.

refuse nothing, had prevailed with you to suppress what you had prepared to say, in the senate, in praise of me: when I said this, I added, that, in the affair of saving the state, I had divided the task with you, in such a manner, that I was to secure the city from intestine dangers, you to defend Italy from the open arms and secret plots of our enemies: but, that this glorious partnership had been broken by your friends, who were afraid of your making me the least return for the greatest honours and services which you had received from me. In the same discourse, when I was describing the expectation which I had conceived of your speech, and how much I was disappointed by it, it seemed to divert the house, and a moderate laugh ensued; not upon you, but on my mistake, and the frank and ingenuous confession of my desire to be praised by you. Now, in this, it must needs be owned, that nothing could be said more honourable towards you, when, in the most shining and illustrious part of my life, I wanted still to have the testimony of your commendation. As to what you say of our mutual affection, I do not know what you reckon mutual in friendship, but I take it to be this; when we repay the same good offices which we receive: should I tell you then, that I gave up my province for your sake, you might justly suspect my sincerity: it suited my temper and circumstances, and I find more and more reason, every day, to be pleased with it: but this, I can tell you, that I no sooner resigned it, in an assembly of the people, than I began to contrive how to throw it into your hands. I say nothing about the manner of drawing your lots; but would have you only believe, that there was nothing done in it by my colleague without my privity. Pray recollect what followed: how quickly I assembled the senate, after

A. C. 601. Cic. 45. Cont.—D. Junius Brutus. L. Licinius Murena.

that I am exceedingly pleased with that affectionate and fraternal disposition of your's, so full of humanity and piety; and, in the second, to forgive me, if, in any case, I have acted against your brother, for the service of the Republic, to which no man can be a warmer friend than myself; but, if I have been acting only on the defensive, against his most cruel attacks, you may think yourself well used, that I have never yet troubled you with any complaints against him. As soon as I found that he was preparing to turn the whole force of his tribunate to my destruction, I applied myself to your wife Claudia, and your sister Mucia, whose zeal for my service I had often experienced, on the account of my familiarity with Pompey, to dissuade him from that outrage: but he, as I am sure you have heard, on the last day of the year, put such an affront upon me, when consul, and after having saved the state, as had never been offered to any magistrate, the most traitorously affected, by depriving me of the liberty of speaking to the people, upon laying down my office. But his insult turned only to my greater honour: for when he would not suffer me to do any thing more than swear, I swore, with a loud voice, the truest, as well as the noblest, of all oaths; while the people, with acclamations, swore likewise, that my oath was true. After so signal an injury, I sent to him, the very same day, some of our common friends, to press him to desist from his resolution of pursuing me; but his answer was, that it was not then in his power: for he had said, a few days before, in a speech to the people, that he, who had punished others without a hearing, ought not to be suffered to speak for himself. Worthy patriot and excellent citizen! to adjudge the man who had preserved the senate from a massacre, the city from fire, and Italy from a war, to the same punishment which the senate, with the consent of all honest men, had inflicted on the authors of those horrid attempts. I withstood your brother, therefore, to his face; and, on the first of January, in a debate upon the Republic, handled him in such a manner, as to make him sensible, that he had to do with a man of courage and constancy. Two days after, when he began again to harangue, in every three words he named and threatened me: nor had he any thing so much at heart, as to effect my ruin at any rate; not by the legal way of trial, or judicial proceeding, but by dint of force and violence. If I had not resisted his rashness, with firmness and courage, who would not have thought, that the vigour of my consulship had been owing to chance, rather than to virtue? If you have not been informed that your brother attempted all this against me, be assured that he concealed from you the most material part: but, if he told you any thing

A. Urb. 691. Cic. 45. Cons.—D. Junius Silanus. L. Lucinius Murmus.

of it, you ought to commend my temper and patience, for ~~a~~ expostulating with you about it: but since you must now ~~be~~ sensible, that my quarrel with your brother was not, as you write, for a word, but a most determined and spiteful design to ruin me, pray observe my humanity, if it may be called by that name, and is not rather, after so flagrant an outrage, a base remissness and abjection of mind. I never proposed any thing against your brother, when there was any question about him in the senate: but, without rising from my seat, assented always to those who were for treating him the most favourably. I will add farther, what I ought not, indeed, to have been concerned about, yet I was not displeased to see it done, and even assisted to get it done; I mean, the procuring a decree for the relief of my enemy, because he was your brother. I did not, therefore, attack your brother, but defend myself only against him; nor has my friendship to you ever been variable, as you write, but firm and constant, so as to remain still the same, when it was even deserted and slighted by you. And, at this very time, when you almost threatened me in your letter, I give you this answer, that I not only forgive, but highly applaud your grief; for I know, from what I feel within myself, how great the force is of fraternal love: but I beg of you, also, to judge with the same equity of my cause; and if, without any ground, I have been cruelly and barbarously attacked by your friends, to allow that I ought not only not to yield to them, but on such an occasion, to expect the help even of you, and your army also, against them. I was always desirous to have you

A. C. 61. Ch. 44. Com.—D. Junius Brutus. L. Lælius Messana.

the first authority in the Republic, and to whom all parties were forwardly paying their court.

M. T. CICERO to CN. POMPEIUS the Great, emperor<sup>1</sup>.

"I had an incredible pleasure, in common with all people, from the public letter which you sent: for you gave us in it that assurance of peace, which, from my confidence in you alone, I had always been promising. I must tell you, however, that your old enemies, but new friends, are extremely shocked and disappointed at it. As to the particular letter which you sent to me, though it brought me so slight an intimation of your friendship, yet it was very agreeable: for nothing is apt to give me so much satisfaction, as the consciousness of my services to my friends; and if, at any time, they are not requited as they ought to be, I am always content that the balance of the account should rest on my side. I make no doubt, however, but that, if the distinguished zeal, which I have always shown for your interests, has not yet sufficiently recommended me to you, the public interest, at least, will conciliate and unite us. But that you may not be at a loss to know what it was, which I expected to find in your letter, I will tell it you frankly, as my own nature and our friendship require. I expected, out of regard both to the Republic, and to our familiarity, to have had some compliment or congratulation from you, on what I lately acted in my consulship; which you omitted, I imagine, for fear of giving offence to certain persons: but I would have you to know, that the things which I have been doing, for the safety of my country, are applauded by the testimony and judgment of the whole earth; and when you come amongst us, you will find them done with so much prudence and greatness of mind, that you, who are much superior to Scipio, will admit me, who am not much inferior to Lælius, to a share both of your public councils and private friendship. Adieu<sup>2</sup>."

<sup>1</sup> The word emperor signified nothing more, in its original use, than the general or chief commander of an army: [Cic. de Orat. l. 48.] in which sense it belonged equally to all who had supreme command in any part of the empire, and was never used as a peculiar title. But after a victory, in which some considerable advantage was gained, and great numbers of the enemy slain, the soldiers, by an universal acclamation, used to salute their general in the field with the appellation of emperor, ascribing, as it were, the whole merit of the action to his auspices and conduct. This became a title of honour, of which all commanders were proud, as being the effect of success and victory, and won by their proper valour; and it was always the first and necessary step towards a triumph. On these occasions, therefore, the title of emperor was constantly assumed, and given to generals in all acts and letters, both public and private, but was enjoyed by them no longer than the commission lasted, by which they had obtained it; that is, to the time of their return and entrance into the city, from which moment their command and title expired together of course, and they resumed their civil character, and became private citizens.

<sup>2</sup> Ep. fam. 5. 7.



A. C. 681. Ciz. 45. Cons.—D. Junius Brutus. L. Licinius Murena.

trated his character with great petulance, and employed every topic which could raise an odium and envy upon him: he called him a king, who assumed a power to save or destroy, just as he thought fit; said, that he was the third foreign king who had reigned in Rome after Numa and Tarquinius; and, that Sylla would have run away, and never stood a trial, if he had not undertaken his cause; whenever he mentioned the plot, and the danger of it, it was with so low and feeble a voice, that none but the judges could hear him; but when he spoke of the prison and the death of the conspirators, he uttered it in so loud and lamentable a strain, as to make the whole Forum ring with it<sup>1</sup>.

Cicero, therefore, in his reply, was put to the trouble of defending himself, as well as his client. As to Torquatus's calling him foreigner, on the account of his being born in one of the corporate towns of Italy, he owns it: and in that town, he says, whence the Republic had been twice preserved from ruin; and was glad that he had nothing to reproach him with, but what affected not only the greatest part, but the greatest men of the city; Curius, Coruncanius, Cato, Marius, &c. but since he had a mind to be witty, and would needs make him a foreigner, why did not he call him a foreign consul, rather than a king; for that would have been much more wonderful, since foreigners had been kings, but never consuls of Rome. He admonishes him, who was now in the course of his preferment, not to be so free of giving that title to citizens, lest he should one day feel the resentment and power of such foreigners: that if the patricians were so proud, as to treat him and the judges on the bench as foreigners, yet Torquatus had no right to do it, whose mother was of Asculum<sup>2</sup>. "Do not call me then foreigner, any more," says he, "lest it turn upon yourself; nor a king, lest you be laughed at, unless you think it kingly, to live so as not to be a slave, not only to any man, but even to any appetite; to contemn all sensual pleasures; to covet no man's gold or silver, or any thing else; to speak one's mind freely in the senate; to consult the good, rather than the humour of the people; to give way to none, but to withstand many: if you take this to be kingly, I confess myself a king; but if the insolence of my power, if my dominion, if any proud or arrogant saying of mine provokes you, why do not you urge me with that, rather than the envy of a name, and the contumely of a groundless calumny?"—He proceeds to show, that his kingdom, if it must be called so, was of so laborious a kind,

<sup>1</sup> Pro Sylla, 7. 10.

<sup>2</sup> Ibid. 7. 8.





A. U. C. 685. C. 45. C. 46.—D. J. 68. M. 45. L. L. 45. M. 45.

be nothing dishonourable in the purchase, since it was transacted so publicly, that, before it was even concluded, one of his friends congratulated him upon it, by letter, from Macedonia. The truth is, and what he himself does not dissemble, that he borrowed part of the money, to pay for it, at six per cent, and says, merrily, upon it, that he was now so plunged in debt, as to be ready for a plot, but that the conspirators would not trust him. It raised, indeed, some censure upon his vanity, for purchasing so expensive a house with borrowed money; but Messala, the consul, happening soon after to buy Antro-nius's house, at a greater price, and with borrowed money too, it gave him some pleasure, that he could justify himself by the example of so worthy a magistrate: "By Messala's purchase," says he, "I am thought to have made a good bargain; and men begin to be convinced, that we may use the wealth of our friends, in buying what contributes to our dignity."

But the most remarkable event, which happened in the end of this year, was the pollution of the mysteries of the Bona Dea, or the good goddess, by P. Clodius; which, by an unhappy train of consequences, not only involved Cicero in an unexpected calamity, but seems to have given the first blow towards the ruin of the Republic. Clodius was now quaestor, and, by that means, a senator; descended from the noblest family in Rome, in the vigour of his age, of a graceful person, lively wit, and flowing eloquence; but, with all the advantages of nature, he had a mind incredibly vicious; was fierce, insolent, audacious, but above all, most profigately wicked, and

A. URB. 681 Cic. 45. Cæsar.—D. Junius Silvanus. L. Licinius Murena.

who, according to annual custom, was now celebrating in her house those awful and mystic sacrifices of the goddess, to which no male creature was ever admitted, and where every thing masculine was so scrupulously excluded, that even pictures of that sort were covered during the ceremony<sup>1</sup>. This was a proper scene for Clodius's genius to act upon; an opportunity of daring, beyond what man had ever dared before him: the thought of mixing the impurity of his lusts with the sanctity of these venerable rites, flattered his imagination so strongly, that he resolved to gain access to his mistress, in the very midst of her holy ministry. With this view, he dressed himself in a woman's habit, and, by the benefit of his smooth face, and the introduction of one of the maids, who was in the secret, hoped to pass without discovery: but, by some mistake, between him and his guide, he lost his way, when he came within the house, and fell in, unluckily, among the other female servants, who, detecting him by his voice, alarmed the whole company by their shrieks, to the great amazement of the matrons, who presently threw a veil over the sacred mysteries, while Clodius found means to escape by the favour of some of the damsels<sup>2</sup>.

The story was presently spread abroad, and raised a general scandal and horror through the whole city: in the vulgar, for the profanation of a religion held the most sacred in Rome; in the better sort, for its offence to good manners, and the discipline of the Republic. Cæsar put away his wife upon it; and the honest, of all ranks, were for pushing this advantage against Clodius as far as it would go, in hopes to free themselves by it, of a citizen, who by this, as well as other specimens of his audaciousness, seemed born to create much disturbance to the state<sup>3</sup>. It had been the constant belief of the populace, that, if a man should ever pry into these mysteries, he would be instantly struck blind; but it was not possible, as Cicero says, to know the truth of it before, since no man, but Clodius, had ever ventured upon the experiment: though it

<sup>1</sup> ——— ubi velari pictura jubetur.

Quæcumque alterius sexûs imitata figuram est.—Juv. 6. 339.

Quod quidem sacrificium nemo ante P. Clodium in omni memoria violavit—quod fit per virgines vestales; fit pro populo Romano; fit in ea domo, quæ est in imperio; fit incredibili cerimonia; fit ei deæ, cujus nomen quidem viros scire fas est. De Arusp. resp. 17.

<sup>2</sup> P. Clodium, Appii filium, credo te audisse cum veste muliebri deprehensum domi C. Cæsaris, cum pro populo fletet, eumque per manus servulæ servatum et eductum; rem esse insigni infamia. Ad Att. 1. 12.

<sup>3</sup> Videbam, illud oculus tam importunum, audaciam tam immanem adolescentis furentis, nobilis, vulnerati, non posse arceri otii finibus: erupturum illud malum aliquando, si impunitum fuisset, ad perniciem civitatis. De Arusp. resp. 3.

A. U. C. 703. C. 47. Cons.—M. Papirius Pæso. M. Valerius Messala.

was now found, as he tells him, that the blindness of the *Clodius* was converted to that of the mind<sup>1</sup>.

The affair was soon brought before the senate; where it was resolved to refer it to the college of priests, who declared it to be an abominable impiety: upon which the consuls were ordered to provide a law for bringing *Clodius* to a trial before the people<sup>2</sup>. But *Q. Fufius Calenus*, one of the tribunes, supported by all the *Clodian* faction, would not permit the law to be offered to the suffrage of the citizens. This raised a great ferment in the city, while the senate adhered to their former resolution, though the consul *Piso* used all his endeavours to divert them from it, and *Clodius*, in an abject manner, threw himself at the feet of every senator; yet, after a second debate, in a full house, there were fifteen only who voted on *Clodius's* side, and four hundred directly against him, so that a fresh decree passed, to order the consuls to recommend the law to the people, with all their authority, and that no other business should be done, till it was carried<sup>3</sup>; but this being likely to produce great disorders, *Hortensius* proposed an expedient, which was accepted by both parties, that the tribune *Fufius* should publish a law, for the trial of *Clodius*, by the prætor, with a select bench of judges. The only difference between the two laws was, whether he should be tried by the people, or by particular judges: but this, says *Cicero*, was every thing. *Hortensius* was afraid, lest he should escape in the squabble, without any trial; being persuaded that no judges could absolve him, and that a sword of lead, as he said, would pierce him, but the tribune knew that, in such a trial,

A. U. R. 692. Cic. 46. Com.—M. Pupius Piso. M. Valerius Messala.

senate readily ordered, with great commendations of the sentence: but when it came to the issue, twenty-five only were condemned, while thirty-one absolved him. Crassus is said to have been Clodius's chief manager, in tampering with the judges; employing every art and instrument of corruption, which suited the different tempers of the men; and where money would not do, offering even certain ladies and young men of quality to their pleasure. Cicero says, that a more scandalous company of sharpers never sat down at a gaming table: in the midst of vicious senators, beggarly knights, with a few honest men among them, whom Clodius could not exclude; who in a crew so unkind to themselves, sat with sad and mournful faces, as if afraid of being infected with the contagion of their infamy; and that Catulus, meeting one of them, asked him, what they meant by desiring a guard? were they afraid of being robbed of the money which Clodius had given them?

This transaction, however, gave a very serious concern to Cicero, who laments, that the firm and quiet state of the Republic, which he had established in his consulship, and which seemed to be founded in the union of all good men, was now lost and broken, if some deity did not interpose, by this single judgment; if that, says he, can be called a judgment, for thirty of the most contemptible scoundrels of Rome to violate all that is just and sacred, for the sake of money; and vote that to be false, which all the world knows to be true. As he looked upon himself to be particularly affronted by a sentence, given in flat contradiction to his testimony, so he made it his business, on all occasions to display the iniquity of it, and to sting the several actors in it with all the keenness of his raillery. In a debate soon after, in the senate, on the state of the Republic, taking occasion to fall upon the affair, he exhorted the senators

164. 46. Cic. — M. Pupius Piso. M. Valerius Messala.

had of judges had let loose upon the Republic. "But thou art mistaken, Clodius," says he; "the judges have not reserved thee for the city, but for a prison; they designed thee no kind of punishment by keeping thee at home, but to deprive thee of the credit of an exile. Wherefore, fathers, rouse your usual vigour; resume your dignity; there subsists still the same honour among the honest; they have had indeed a fresh subject of mortification, yet their courage is not impaired by it; no such mischief has befallen us; but that only, which lay concealed, is now discovered; and, by the trial of one desperate man, many others are found to be as bad as he<sup>1</sup>."

Clodius, not caring to encounter Cicero by formal speeches, chose to tease him with raillery, and turn the debate into ridicule. "You are a fine gentleman, indeed," says he, "and have been at Baiae." "That's not so fine," replied Cicero, "as to be caught at the mysteries of the goddess." "But what," says he, "has a clown of Arpinum to do at the hot wells?" "Ask that friend of your's," replied Cicero, "who had a month's mind to your Arpinum clown<sup>2</sup>." "You have bought a house," says he. "You should have said, judges," replied Cicero. "Those judges," says he, "would not believe you upon your oath." "Yes," replied Cicero, "twenty-five of them gave credit to me; while the rest would not give any to you, but made you pay your money before hand." This turned the laugh so strongly on Cicero's side, that Clodius was confounded, and forced to sit down<sup>3</sup>. But being now declared enemies, they never met without some strokes of this kind upon each other; which, as Cicero observes, must needs appear flat in the narration, since all their force and beauty depended on the smartness of the contention, and the spirit with which they were delivered<sup>4</sup>.

The present consuls were M. Pupius Piso and M. Messala; the first of whom, as soon as he entered into office, put a slight affront upon Cicero: for his opinion having been asked always the first, by the late consuls, Piso called upon him only the second, on Catulus the third, Hortensius the fourth: this, he says, did not displease him, since it left him more at liberty in his voting; and freed him from the obligation of any com-

<sup>1</sup> Ibid.

<sup>2</sup> This is supposed to refer to his sister Clodia, a lady famous for her intrigues; who had been trying all arts to tempt Cicero to put away Terentia, and to take her for his wife.

<sup>3</sup> Though Clodius reproaches Cicero here for the extravagant purchase of a house, yet he himself is said to have given afterwards near four times as much for one, viz. about 119,000*l.* sterling. Plin. Hist. N. l. 36. 15.

<sup>4</sup> Ad Att. l. 16.

<sup>5</sup> Nam cetera non possunt habere neque vim, neque venustatem, remoto illo studio contentione. Ibid.

A. Urb. 692. Cic. 46. Cons.—M. Pupius Piso. M. Valerius Messala.

plaisance to a man whom he despised'. This conduct warmly in the interests of Clodius; not so much out of friendship, as a natural inclination to the worst side; for, according to Cicero's account of him, he was a man of a weak and unsteady mind; a churlish, captious sneerer, without any turn of wit, and making men laugh by his looks rather than jests; favouring neither the popular nor the aristocratical party; from no good was to be expected, because he wished none; no evil to be feared, because he durst do none; who would have been more vicious, by having one vice the less, sloth and laziness &c. Cicero frankly used the liberty, which this consular behaviour allowed him, of delivering his sentiments without reserve; giving Piso himself no quarter, but exposing every thing that he did and said in favour of Clodius, in such a manner, as to hinder the senate from decreeing to him the province of Syria, which had been designed, and in a manner preposterous to him'. The other consul, Messala, was of quite a different character; a firm and excellent magistrate, in the interests of his country, and a constant admirer and imitator of Cicero<sup>4</sup>.

About this time Cicero is supposed to have made that oration, still extant, in the defence of his old preceptor poet Archias: he expected, for his pains, an immortal fame from the praise of Archias's muse; but, by a contrariety of things, instead of deriving any addition of glory from Archias's compositions, it is wholly owing to his own, that the name of Archias has not long ago been buried in oblivion. From the great character given by him, of the talents

4. Ed. Ott. Cl. 48. Cons.—M. Pupius Piso. M. Valerius Messala.

of this year, in the height of his fame and fortunes, from the Mithridatic war. The city had been much alarmed about him, by various reports from abroad, and several tumults at home; where a general apprehension prevailed, of his coming at the head of an army, to take the government into his hands<sup>1</sup>. It is certain, that he had it now in his power, to make himself master of the Republic, without the hazard even of a war, or of opposition to control him. Caesar, with the tribune Mellos, was inviting him to it, and had no other ambition at present, than to serve under him: but Pompey was too phlegmatic to be easily induced to so desperate a resolution; or seems rather, indeed, to have had no thoughts at all of that sort, but to have been content with the rank which he then possessed, of the first citizen of Rome, without a rival. He had lived in a perpetual course of success and glory, without any slur, either from the senate or the people, to inspire him with sentiments of revenge, or to give him a pretence for violent measures: and he was persuaded, that the growing disorders of the city, would soon force all parties to create him dictator, for the settlement of the state; and thought it of more honour to his character to obtain that power, by the consent of his citizens, than to extort it from them by violence. But whatever apprehensions were conceived of him, before his coming, they all vanished at his arrival; for, he no sooner set foot in Italy, than he disbanded his troops, giving them orders only to attend him in his triumph; and, with a private retinue, pursued his journey to Rome, where the whole body of the people came out to receive him, with all imaginable gratulations and expressions of joy, for his happy return<sup>2</sup>.

By his late victories he had greatly extended the barrier of the empire into the continent of Asia, having added to it three powerful kingdoms<sup>3</sup>, Pontus, Syria, Bithynia, which he reduced to the condition of Roman provinces; leaving all the other kings, and nations of the east, tributary to the Republic, as far as the Tigris. Among his other conquests, he took the city of Jerusalem, by the opportunity of a contest about the crown, between the two brothers Hircanus and Aristobulus: the lower town was surrendered to him, with little or no opposition; but the fortress of the temple cost him a siege of three months; nor would he have taken it then, so easily, as

Mithridaticum vero bellum, magnum atque difficile—totum ab hoc expressum est; qui libri non modo L. Lucullum—verum etiam populi Romani nomen illustrent.—Nam quæ res in consulatu nostro vobiscum simul pro salute urbis atque imperii—gemimus, attigit hic verbis atque inchoavit: quibus auditis, quod mihi magna res et jucunda visa est, hunc ad perficiendum hortatus sum. Pro Archia, 9. 11.

<sup>1</sup> Plut. in Pomp.

<sup>2</sup> Ibid.

<sup>3</sup> Et Asia, quæ imperium antea nostrum terminabat, nunc tribus novis provinciis ipsa cingitur. De Provin. Consular. 12.

A. Urb. 692. Cic. 46. Coss.—M. Pupius Piso. M. Valerius Messala.

Dio tells us<sup>1</sup>, had it not been for the advantage, that the besieged gave him, by the observance of their weekly sabbaths, on which they abstained so religiously from all war, as to neglect even their necessary defence. He showed great humanity to the people, and touched no part of the sacred treasure, or vessels of gold, which were of an immense value<sup>2</sup>; yet was drawn, by his curiosity, into such a profanation of their temple, as mortified them more than all that they had suffered by the war: for, in taking a view of the buildings, he entered with his officers, not only into the holy place, where none but the priests, but into the holy of holies, where none but the high priest was permitted, by the law, to enter: by which act, as a very eminent writer, more piously, perhaps, than judiciously, remarks, he drew upon himself the curse of God, and never prospered afterwards<sup>3</sup>. He carried Aristobulus and his children prisoners to Rome, for the ornament of his triumph; and settled Hircanus in the government and the high priesthood, but subject to a tribute. Upon the receipt of the public letters, which brought the account of his success, the senate passed a decree, that, on all festival days, he should have the privilege to wear a laurel crown, with his general's robe; and in the equestrian races of the circus, his triumphal habit: an honour, which, when he had once used, to show his grateful sense of it, he ever after prudently declined; since, without adding any thing to his power, it could serve only to increase the envy, which many were endeavouring to stir up against him<sup>4</sup>.

(In the spirit of the great virtues he did not hesitate to shed

A. U. C. 692. Ch. 48. Cons.—M. Pupius Piso. M. Valerius Messala.

by his means, the authority of the senate much respected; which obliged him to use great management, and made him so cautious of offending any side, that he pleased none. Cicero says of his first speech, that it was neither agreeable to the poor, nor relished by the rich; disappointed the seditious, yet gave no satisfaction to the honest<sup>1</sup>. As he happened to come home in the very heat of Clodius's affair, so he was presently urged, by both parties, to declare for the one or the other. Fufius, a busy, factious tribune, demanded of him, before the people, what he thought of Clodius's being tried by the prætor and a bench of judges? to which he answered, very aristocratically, as Cicero calls it, that he had ever taken the authority of the senate to be of the greatest weight in all cases. And when the consul Messala asked him, in the senate, what his opinion was of that profanation of religion, and the law proposed about it? he took occasion, without entering into particulars, to applaud, in general, all that the senate had done in it; and, upon sitting down, told Cicero, who sat next to him, that he had now said enough, he thought, to signify his sentiments of the matter<sup>2</sup>.

Crassus observing Pompey's reserve, resolved to push him to a more explicit declaration, or to get the better of him at least in the good opinion of the senate; rising up, therefore to speak, he launched out, in a very high strain, into the praises of Cicero's consulship; declaring himself indebted to it for his being, at that time, a senator and a citizen; nay, for his very liberty and his life; and that, as often as he saw his wife, his family, and his country, so often he saw his obligations to Cicero. This discomposed Pompey, who was at a loss to understand Crassus's motive; whether it was to take the benefit of an opportunity, which he had omitted, of ingratiating himself with Cicero; or that he knew Cicero's acts to be in high esteem, and the praise of them very agreeable to the senate; and it piqued him the more, for its coming from a quarter, whence it was least to be expected; from one whom Cicero, out of regard to him, had always treated with a particular slight. The incident, however, raised Cicero's spirits, and made him exert himself before his new hearer, Pompey, with all the pride of his eloquence: his topics were, the firmness and gravity of the senate; the concord of the equestrian order; the concurrence of all Italy: the lifeless remains of a baffled conspiracy; the peace and plenty which had since succeeded: all which he displayed with

<sup>1</sup> *Prima concio Pompeii—non jucunda miseris, inanis improbis, beatis non grata, bonis non gravis. Itaque frigebat. Ad Att. l. 14.*

<sup>2</sup> *Mihique, ut assedit, dixit, se putare satis ab se etiam de istis rebus esse responsum. Ibid.*

A. Urb. 692. Cic. 46. Cons.—M. Pupius Piso. M. Valerius Messala.

his utmost force, to let Pompey see his ascendant still in that assembly, and how much he had been imposed upon by the accounts of his new friends<sup>1</sup>. Pompey, likewise, on his side, began presently to change his tone, and affected, on all public occasions, to pay so great a court to Cicero, that the other faction gave him the nick-name of Cnæus Cicero: and their seeming union was so generally agreeable to the city, that they were both of them constantly clapped, whenever they appeared in the theatre, without a hiss from any quarter<sup>2</sup>. Yet Cicero easily discovered, that all this outward civility was but feigned and artificial; that he was full of envy within, and had no good intentions towards the public; nothing candid or sincere; nothing great, generous, or free, in him<sup>3</sup>.

There was one point, which Pompey resolved to carry, this summer, against the universal inclination of the city; the election of L. Afranius, one of his creatures, to the consulship: in which he fights, says Cicero, neither with authority, nor interest, but with what Philip of Macedon took every fortress, into which he could drive a loaded ass<sup>4</sup>. Plutarch says, that he himself distributed the money openly in his own gardens: but Cicero mentions it as a current report, that the consul Piso had undertaken to divide it at his house: which gave birth to two new laws, drawn up by Cato and his brother-in-law, Domitius Ahenobarbus, and supposed to be levelled at the consul; the one of which gave a liberty to search the houses, even of magistrates, on information of bribery; the other declared all those enemies to the state, at whose houses the dividers of money were found<sup>5</sup>. Pompey, however, obtruded

A. Urb. 692. Cæ. 68. Com.—M. Pupius Piso. M. Valerius Messala.

suburbs : so that the senate and people, in compliment to him, held their assemblies, generally, during that time, without the walls ; some of which are mentioned to have been in the Flaminian circus<sup>1</sup>. His triumph lasted two days, and was the most splendid which had ever been seen in Rome : he built a temple to Minerva out of the spoils, with an inscription, giving a summary of his victories : "That he had finished a war of thirty-years ; had vanquished, slain, and taken two millions one hundred and eighty-three thousand men ; sunk or taken eight hundred and forty-six ships ; reduced to the power of the empire a thousand five hundred and thirty-eight towns and fortresses : and subdued all the countries between the lake Maotis and the Red Sea<sup>2</sup>."

Quintus Cicero, who, by the help and interest of his brother, was following him at a proper distance through all the honours of the state, having been prætor the last year, now obtained the government of Asia ; a rich and noble province, comprehending the greatest part of what is called Asia Minor. Before he went to take possession of it, he earnestly pressed Atticus, whose sister he married, to go along with him, as one of his lieutenants ; and resented his refusal so heinously, that Cicero had no small trouble to make them friends again. There is an excellent letter, on this subject, from Cicero to Atticus ; which I cannot forbear inserting, for the light which it gives us into the genuine character of all the three, as well as of other great men of those times, with a short account also of the present state of the Republic.

#### CICERO TO ATTICUS.

"I PERCEIVE, from your letter, and the copy of my brother's, which you sent with it, a great alteration in his affection and sentiments with regard to you : which affects me with all that concern, which my extreme love for you both ought to give me ; and with wonder, at the same time, what could possibly happen either to exasperate him so highly, or to effect so great change in him. I had observed, indeed, before, what you also mistrusted at your leaving us, that he had conceived

<sup>1</sup> *Fusus in concionem produxit Pompeium ; res agebatur in Circo Flaminio.* Ibid. 14.

<sup>2</sup> *CN. POMPEIUS, CN. F. MAGNUS, IMP.*

*BELLO XXX. ANNORUM. CONFECTO.*

*FUSIS. FLUATIS. OCCISIS. IN DEDITIONEM*

*ACCEPTIS. HOMINUM. CENTIEN. VICIES.*

*SEMEL. CENTENIS. LXXXIII. M.*

*DEPRESSIS AUT CAPT. NAVIBUS. DCCXLVI.*

*OPPIDIS. CASTELLIS. M.D.LXXXVIII.*

*IN FIDEM RECEPTIS.*

*TERRIS. A. MÆOTI. LACU. AD RUBRUM.*

*MARE. SUBACTIS.*

*VOTUM. MERITO. MINERVAE.*—*Phil. Hist. N. 7. 26.*

A. Urb. 692. Cic. 46. Com.—M. Pupius Piso. M. Valerius Messala.

some secret disgust, which shocked and filled his mind with odious suspicions: which though I was often attempting to heal, and especially after the allotment of his province, yet I could neither discover that his resentment was so great, as it appears to be, from your letter, nor find, that what I said had so great an effect upon him as I wished. I comforted myself, however, with a persuasion, that he would contrive to see you at Dyrrachium, or some other place in those parts; and, in that case, made no doubt but that all would be set right; not only by your discourse, and talking the matter over between yourselves, but by the very sight and mutual embraces of each other: for I need not tell you, who know it as well as myself, what a fund of good nature and sweetness of temper there is in my brother, and how apt he is, both to take and to forgive an offence. But it is very unlucky, that you did not see him; since, by that means, what others have artfully inculcated has had more influence on his mind, than either his duty, or his relation to you, or your old friendship, which ought to have had the most. Where the blame of all this lies, it is easier for me to imagine than to write; being afraid, lest, while I am excusing my own people, I should be too severe upon your's; for, as I take the case to be, if those of his own family did not make the wound, they might, at least, have cured it. When we see one another again, I shall explain to you more easily the source of the whole evil, which is spread somewhat wider than it seems to be.—As to the letter which he wrote to you from Thessalonica, and what you suppose him to have said of you to your friends at Rome, and on the road, I cannot con-

A. Urb. 692. Cic. 46. Cons.—M. Pupius Piso. M. Valerius Messala.

and method of life : whilst I was drawn, by a sort of ambition, to the desire and pursuit of honours ; you, by other maxims, in no wise blameable, to the enjoyment of an honourable retreat. But for the genuine character of probity, diligence, exactness of behaviour, I neither prefer myself, nor any man else to you ; and, as for love to me, after my brother and my own family, I give you always the first place. For I saw, and saw it in a manner the most affecting, both your solicitude and your joy, in all the various turns of my affairs ; and was often pleased, as well with the applause, which you gave me in success, as the comfort which you administered in my fears ; and, even now, in the time of your absence, I feel and regret the loss, not only of your advice, in which you excel all : but of that familiar chat with you, in which I used to take so much delight. Where then, shall I tell you, that I most want you ? in public affairs ? where it can never be permitted to me to sit idle ; or in my labours at the bar ? which I sustained before, through ambition ; but now, to preserve my dignity : or, in my domestic concerns ? where, though I always wanted your help before, yet, since the departure of my brother, I now stand the more in need of it. In short, neither in my labours, nor rest ; neither in business, nor retirement ; neither in the Forum, nor at home ; neither in public, nor in private affairs, can I live any longer without your friendly counsel, and endearing conversation. We have often been restrained, on both sides, by a kind of shame, from explaining ourselves on this article ; but I was now forced to it, by that part of your letter, in which you thought fit to justify yourself and your way of life to me. But, to return to my brother : in the present state of the ill humour which he expresses towards you, it happens, however, conveniently, that your resolution of declining all employments abroad, was declared and known long beforehand, both to me and your other friends ; so that your not being now together, cannot be charged to any quarrel or rupture between you, but to your judgment and choice of life. Wherefore, both this breach in your union will, undoubtedly, be healed again, and your friendship with me remain for ever inviolable, as it has hitherto been. We live here, in an infirm, wretched, tottering Republic : for you have heard, I guess, that our knights are now almost disjoined again from the senate. The first thing which they took amiss, was the decree for calling the judges to account, who had taken money in Clodius's affair : I happened to be absent when it passed ; but, hearing afterwards, that the whole order resented it, though without complaining openly, I chid the senate, as I thought, with great effect ; and, in a cause not very modest, spoke forcibly and copiously. They have now

A. Urb. 692. Cic. 46. Cons.—M. Pupius Piso. M. Valerius Messala.

another curious petition, scarce fit to be endured; which yet I not only bore with, but defended. The company, who hired the Asiatic revenues of the censors, complained to the senate, that, through too great an eagerness, they had given more for them than they were worth, and begged to be released from the bargain. I was their chief advocate, or rather, indeed, the second; for Crassus was the man, who put them upon making this request. The thing is odious and shameful, and a public confession of their rashness: but there was great reason to apprehend, that, if they should obtain nothing, they would be wholly alienated from the senate; so that this point, also, was principally managed by me. For, on the 1st and 2nd of December, I spoke a great deal on the dignity of the two orders, and the advantages of the concord between them, and was heard very favourably in a full house. Nothing, however, is yet done; but the senate appears well disposed: for Metellus, the consul elect, was the only one, who spoke against us; though that hero of our's, Cato, was going also to speak, if the shortness of the day had not prevented him. Thus, in pursuit of my old measures, I am supporting, as well as I can, that concord which my consulship had cemented: but, since no great stress can now be laid upon it, I have provided myself another way, and a sure one, I hope, of maintaining my authority; which, I cannot well explain by letter, yet, will give you a short hint of it. I am in strict friendship with Pompey—I know already what you say—and will be upon my guard, as far as caution can serve me, and give you a farther account,

A. Urb. 693. Cic. 47. Cons.—Q. Cæcilius Metellus Celer. L. Afranius.

mischief, by pursuing his maxims absurdly, and without any regard to the times<sup>1</sup>; and upon a review of the transactions, which had passed since his consulship, and the turn which the public affairs were then taking, he seems to foretel, that the Republic could not stand much longer; since this very year had overthrown the two main pillars of it, which he had been erecting with such pains; the authority of the senate, and their union with the knights<sup>2</sup>.

Q. Cæcilius Metellus and L. Afranius were now consuls. The first had been prætor in Cicero's consulship, and commanded an army against Catiline, and was an excellent magistrate, and true patriot; a firm opposer of all the factious, and a professed enemy also to Pompey; in which he was the more heated by a private resentment of the affront offered to his sister Mucia, whom Pompey had lately put away<sup>3</sup>. His partner, Afranius, was the creature of Pompey's power; but of no credit or service to him, on the account of his luxury and laziness; being fonder of balls than of business. Cicero calls him a consul, whom none but a philosopher could look upon without sighing; a soldier without spirit; and a proper butt for the raillery of the senate, where Palicanus abused him every day to his face: and so stupid, as not to know the value of what he had purchased<sup>4</sup>.

By the help of this consul, and some of the tribunes, Pompey imagined, that he should readily obtain the ratification of his acts, together with an Agrarian law, which he was pushing forward, at the same time, for the distribution of lands to his soldiers; but he was vigorously opposed in them both by the other consul, Metellus, and the generality of the senate<sup>5</sup>. Lucullus declared, that they ought not to confirm his acts in the gross, as if they received them from a master, but to consider them separately, and ratify those only which were found

<sup>1</sup> Unus est, qui curet, constantia magis et integritate, quam, ut mihi videtur, consilio et ingenio, Cato; qui miseros publicanos, quos habuit amarissimos sui, tertium jam mensum vexat, neque eis a senatu responsum dari patitur. Ad Att. 1. 18. it. 2. 1.

<sup>2</sup> Nam ut ea breviter, quæ post discessum tuum acta sunt, colligam, jam exclames necesse est, res Romanas diutius stare non posse.

Sic ille annus duo firmamenta Reipub. per me unum constituta, evertit: nam et senatus auctoritatem abiecit, et ordinum concordiam disjunxit. Ad Att. 1. 18.

<sup>3</sup> Metellus est consul egregius, et nos amat, &c. Ibid. 18, 19, 20. Dio. 1. 37. p. 52.

<sup>4</sup> Quem nemo præter nos philosophos aspicere sine suspiratu posset.

Auli autem filius, ô Dii immortales! quam ignavus et sine animo miles! quam dignus, qui Palicano, sicut facit, os ad male audiendum quotidie præbeat!

Ille alter ita nihil est, ut plane quid emerit, nesciat.

Auli filius vero ita se gerit, ut ejus consulatus non consulatus sit, sed magni nostri ἐπὶ πικρῶν, &c. Ad Att. ibid. Dio, ibid.

<sup>5</sup> Agraria autem promulgata est a Flavio, sane levis, &c. Ad Att. 1. 18.

Agraria lex a Flavio tribuno pleb. vehementer agitabatur, auctore Pompeio:—Nihil popolare habebat præter auctorem.—Huic toti rationi agrariae senatus adversabatur, suspicans Pompeio novam quandam potentiam queri. Ibid. 19.

A. U. C. 683. C. 47. Cons.—Q. Caecilius Metellus Celer. L. Afranius.

to be reasonable'. But the tribune Flavius, who was the promoter of the law, impatient of this opposition, and animated by Pompey's power, had the hardness to commit Metellus to prison: and, when all the senate followed, and resolved to go to prison too, he clapt his chair at the prison door to keep them out: but this violence gave such a general scandal to the city, that Pompey found it advisable to draw off the tribune, and relieve the consul. In order to allay these heats, Cicero offered an amendment to the law, which satisfied both parties, by securing the possessions of all private proprietors, and hindering the public lands from being given away: his proposal was, that out of the new revenues, which Pompey had acquired to the empire, five years' rents should be set apart to purchase lands for the intended distribution'. But the progress of the affair was suspended by the sudden alarm of a Gallic war, which was always terrible to Rome, and being now actually commenced by several revolted nations, called for the immediate care and attention of the government'.

The senate decreed the two Gauls, severally, to the two consuls: and required them to make levies without any regard to privilege, or exemption from service: and that three senators should be chosen by lot, one of them of consular rank, to be sent, with a public character, to the other Gallic cities, to dissuade them from joining in the war. In the allotment of these ambassadors, the first lot happened to fall upon Cicero; but the whole assembly remonstrated against it, declaring his presence necessary at Rome, and that he ought not to be employed on such



A. U. C. 683. C. 47. C. 47. — Q. C. 47. Metellus Celer. L. Afranius.

the resentment of those whom he had lashed in it, for done that part very sparingly, but of those, rather, who he had not celebrated, it being endless to mention all who had been serviceable to him<sup>1</sup>. This piece is also lost, except a few fragments, scattered in different parts of his other writings. The three books were severally inscribed to three of the Muses; of which his brother expresses the highest approbation, and admonishes him to bear in mind what Jupiter commends in the end of *Urania*, or the second book, which concluded, probably, with some moral lesson, not unlike what *Calliope* prescribes in the third<sup>2</sup>.

*Interea curram, quae praeceps a parte juvenat,  
Quaeque adeo cunctis virtutibus instructi,  
Huc recte : atque adeo finem laudisque bonorum,  
That noble course, in which thy earliest youth  
Was train'd to virtue, liberty, and truth :  
In which, when contail, you such honour won,  
While Rome, with wonder and applause look'd on.  
The same pursue; and let each growing year,  
A fresh increase of fame and glory bear.*

He published, likewise, at this time, a collection of the principal speeches which he had made in his consulship, under the title of his Consular Orations: he chose to make a separate volume of them, as Demosthenes had done of his *Philippics*, in order to give a specimen of his civil or political talents; being of a different manner, he says, from the dry and crabbed style of the bar, and showing, not only how he spoke, but how he acted. The two first were against the Agrarian law of Rullus: the one to the senate, the other to the people: the third, on the tumult about Otho: the fourth, for Rabirius: the fifth, to the sons of the proscribed: the sixth, upon his resigning the province of Gaul: the seventh, eighth, ninth, and tenth, on the affair of Catiline, with two more short ones, as

*En Gai. Cic. 43. Cato.—Q. Caecilius Metellus Celer. L. Afranius.*

Clodius, who had been contriving all this while how to revenge himself on Cicero, began now to give an opening to the scheme, which he had formed for that purpose. His project was, to get himself chosen tribune, and in that office, to drive him out of the city, by the publication of a law, which, by some stratagem or other, he hoped to obtrude upon the people<sup>1</sup>. But, as all patricians were incapable of the tribunate, by its original institution, so his first step was to make himself a plebeian, by the pretence of an adoption into a plebeian house, which could not yet be done without the suffrage of the people. This case was wholly new, and contrary to all the forms; wanting every condition, and serving none of the ends, which were required in general adoptions; so that, on the first proposal, it seemed too extravagant to be treated seriously, and would soon have been hissed off with scorn, had it not been concerted, and privately supported, by persons of much more weight than Clodius. Caesar was at the bottom of it, and Pompey secretly favoured it: not that they intended to ruin Cicero, but to keep him only under the lash; and, if they could not draw him into their measures, or make him, at least, sit quiet, to let Clodius loose upon him. The solicitor of it was one Herennius, an obscure, hardy tribune, who first moved it to the senate, and afterwards to the people, but met with no encouragement from either; for the consul Metellus, though brother-in-law to Clodius, warmly opposed it<sup>2</sup>; and declared, that he would strangle him sooner, with his own hands, than suffer him to bring such a disgrace upon his family<sup>3</sup>: yet Herennius persisted to press it, but without any visible effect or success; and so the matter hung through the remainder of the year.

Cicero affected to treat it with the contempt, which it seemed to deserve: sometimes rallying Clodius with much pleasantry; sometimes admonishing him, with no less gravity: he told him, in the senate, that his attempt gave him no manner of pain; and that it should not be any more in his power to overturn the state, when a plebeian, than it was in the power of the patricians, of the same stamp, in the time of his consulship<sup>4</sup>. But whatever face he put outwardly on this affair, it

et quoniam te cum scripta, tum res mea delectant, iisdem libris perspicies, et que gererim, et que dixerim. Ad Att. 2. 1.

<sup>1</sup> Præsentia mea cum orationibus propediem expecta. Ibid.

<sup>2</sup> Ille autem non simulat, sed plane Tribunus pleb. fieri cupit. Ibid.

<sup>3</sup> Verum preclare Metellus impedit et impedit. Ibid. 2. 1.

<sup>4</sup> Qui Consul incipientem furere atque conantem, sua se manu interfecturum, audiente senatu dixerit. Pro Cælio, 24.

<sup>5</sup> Sed neque magnopere dixi esse nobis laborandum, quod nihilo magis ei licitum esset Plebeio Romæ perdere, quam stultibus ejus me consulê Patriciis esset licitum. Ad Att. 2. 1.

A. Urb. 693. Cic. 47. Com.—Q. Cæcilius Metellus Celer. L. Afranius.

gave him a real uneasiness within, and made him unite himself more closely with Pompey, for the benefit of his protection, against a storm, which he saw ready to break upon him; while Pompey, ruffled likewise by the opposition of the senate, was as forward, on his side, to embrace Cicero, as a person necessary to his interest. Cicero, however, imagining, that this step would be censured by many, as a desertion of his old principles, takes frequent occasion to explain the motives of it to his friend Atticus, declaring, that the adoption of Clodius, the alienation of the knights, the indolence and luxury of the consular senators, who minded nothing but their fish-ponds, their carps and mullets, and yet were all envious of him, made it necessary for him to seek some firmer support and alliance.—That, in this new friendship, he should attend still to what the Sicilian wag Epicharmus whispered, “Be watchful, and distrust, for those are the nerves of the mind<sup>1</sup>.” On another occasion, he observes, that his union with Pompey, though useful to himself, was more useful to the Republic, by gaining a man of his power and authority, who was wavering and irresolute, from the hopes and intrigues of the factious: that if this could not have been done, without drawing upon himself a charge of levity, he would not have purchased that, or any other advantage, at such a price; but he had managed the matter so, as not to be thought the worse citizen for joining with Pompey, but Pompey himself the better, by declaring for him.—That, since Catulus’s death, he stood single and unsupported, by the other consulars, in the cause of the aristocracy; for, as the poet Rhinon says, some of them were proud for nothing, others proud

A. Urb. 698. Cic. 47. Cœs.—Q. Cæcilius Metellus Celer. L. Afranius.

had happened between us, it must have caused great disturbance in the Republic; which I have guarded against in such a manner, that, without departing from my own maxims, I have rendered him the better, and made him remit somewhat of his popularity: for, you must know, that he now speaks of my acts, which many have been incensing him against, much more gloriously than he does of his own; and declares, that he had only served the state successfully, but that I had saved it<sup>1</sup>. What good this will do to me, I know not: but it will certainly do much to the Republic. What if I could make Cæsar also a better citizen, whose winds are now very prosperous; should I do any great harm by it? Nay, if there were none who really envied me, but all were encouraging me as they ought, it would yet be more commendable to heal the vitiated parts of the state, than to cut them off: but now, when that body of knights, who were planted by me in my consulship, with you at their head, as our guard in the Capitol, have deserted the senate, and our consulars place their chief happiness in training the fish in their ponds, to feed from their hands, and mind nothing else; do not you think, that I am doing good service, by managing so, that those who can do mischief, will not? For, as to our friend Cato, you cannot love him more than I do; yet, with the best intentions, and the greatest integrity, he often hurts the Republic; for he delivers his opinion, as if it were in the polity of Plato, not in the dregs of Romulus<sup>2</sup>. What could be more just, than to call those to an account, who had received money for judging? Cato proposed, the senate agreed to it: the knights presently declared war against the senate, not against me; for I was not of that opinion. What more impudent, than to demand a release from their contract? yet it was better to suffer that loss, than to alienate the whole order: but Cato opposed it, and prevailed; so that now, when the consul was thrown into prison, as well as in all the tumults which have lately happened, not one of them would stir a foot; though, under me, and the consuls who succeeded me, they had defended the Republic so strenuously," &c.<sup>3</sup>

In the midst of these transactions, Julius Cæsar returned from the government of Spain, which had been allotted to him from his prætorship, with great fame both for his military and

<sup>1</sup> Quæ de meis rebus, in quas multi eum incitabant, multo scito gloriosius, quam de suis prædicare. Sibi enim bene gestæ, mihi conservatæ Reipub. dat testimonium. *Ibid.* 2. 1.

<sup>2</sup> Nam Catonem nostrum non tu amas plus, quam ego. Sed tamen ille optimo animo stans, et summa fide, nocet interdum Reipub. dicit enim tanquam in Platonis πολιτείᾳ, non tanquam in Romuli facie, sententiam. *Ibid.* 2. 1.

<sup>3</sup> Restitit et pervicit Cato. Itaque nunc, Consule in carcere incluso, sæpe item seditione commota, aspiravit nemo eorum, quorum ego concursu, itemque Consules, qui post me fuerunt, Reipub. defendere solebant. *Ibid.*

A. Urb. 693. Cir. 47. Cons.—Q. Cæcilius Metellus Celer. L. Afranius.

political acts. He conquered the barbarous nations by his arms, and civilized them by his laws; and, having subdued the whole country, as far as the ocean, and been saluted emperor by the soldiers, came away, in all haste, to Rome, to meet at the same time, for the double honour of a triumph and the consulship<sup>1</sup>. But his demand of the first was, according to the usual forms, incompatible with his pretensions to the second, since the one obliged him to continue without the city, the other made his presence necessary within: so that, finding an aversion in the senate, to dispense with the laws in his favour, he preferred the solid to the specious, and dropped the triumph to lay hold on the consulship<sup>2</sup>. He designed L. Luceius for his colleague, and privately joined interests with him, on condition that Luceius, who was rich, should furnish money sufficient to bribe the centuries. But the senate, always jealous of his designs, and fearing the effects of his power, when supported by a colleague, subservient to his will, espoused the other candidate, Bibulus, with all their authority, and made a common purse, to enable him to bribe as high as his competitors; which Cato himself is said to have approved<sup>3</sup>. By this means they got Bibulus elected, to their great joy; a man firm to their interests, and determined to obstruct all the ambitious attempts of Cæsar.

Upon Cæsar's going to Spain, he had engaged Crassus to stand bound for him to his creditors, who were clamorous and troublesome, as far as two hundred thousand pounds sterling; so much did he want to be worth nothing, as he mer-

A. U. C. 683. C. 67. C. 66. C. 65. C. 64. C. 63. C. 62. C. 61. C. 60. C. 59. C. 58. C. 57. C. 56. C. 55. C. 54. C. 53. C. 52. C. 51. C. 50. C. 49. C. 48. C. 47. C. 46. C. 45. C. 44. C. 43. C. 42. C. 41. C. 40. C. 39. C. 38. C. 37. C. 36. C. 35. C. 34. C. 33. C. 32. C. 31. C. 30. C. 29. C. 28. C. 27. C. 26. C. 25. C. 24. C. 23. C. 22. C. 21. C. 20. C. 19. C. 18. C. 17. C. 16. C. 15. C. 14. C. 13. C. 12. C. 11. C. 10. C. 9. C. 8. C. 7. C. 6. C. 5. C. 4. C. 3. C. 2. C. 1. C. 0.

three: by which they should mutually oblige themselves to promote each other's interest, and to act nothing but by common agreement: to this Pompey easily consented, on account of the disgust which the senate had impolitically given him, by their perverse opposition to every thing which he desired, or attempted, in the state.

This is commonly called the first triumvirate; which was nothing else, in reality, but a treasonous conspiracy of three, the most powerful citizens of Rome, to extort from their country, by violence, what they could not obtain by law. Pompey's chief motive was to get his acts confirmed by Cæsar, in his consulship; Cæsar's, by giving way to Pompey's glory, to advance his own; and Crassus's, to gain that ascendancy, which he could not sustain alone, by the authority of Pompey and the vigour of Cæsar<sup>1</sup>. But Cæsar who formed the scheme, easily saw, that the chief advantage of it would necessarily redound to himself: he knew, that the old enmity between the other two, though it might be palliated, could never be healed, without leaving a secret jealousy between them; and as, by their common help, he was sure to make himself superior to all others, so, by managing the one against the other, he hoped to gain, at last, a superiority also over them both<sup>2</sup>. To cement this union, therefore, the more strongly, by the ties of blood, as well as interest, he gave his daughter Julia, a beautiful and accomplished young lady, in marriage to Pompey: and, from this era, all the Roman writers date the origin of the civil wars, which afterwards ensued, and the subversion of the Republic, in which they ended<sup>3</sup>.

*In eodem tempore.*  
Facta tribus dominis commissa Roma.—LIV. 1. 23.

Hence flow'd our illa, hence all that evil came.  
When Rome the common slave of three became.

Cicero might have made what terms he pleased with the triumvirate; been admitted even a partner of their power, and a fourth in their league; which seemed to want a man of his character, to make it complete. For, while the rest were engaged in their governments, and the command of armies

<sup>1</sup> Hoc consilium Pompeius habuerat, ut tandem acta in triumviris provinciæ per Cæsarem confirmarentur consulibus: Cæsar autem, quod animadvertat, se ceteris Pompeii gloriæ auctoritatem suam; et invidia communis potentie in alium relictæ, confirmaturum vires suas: Crassus, ut quem principatum solus asequi non poterat, auctoritate Pompeii, viribus teneret Cæsaris. Vell. Pat. 2. 44.

<sup>2</sup> Sciebat enim, se alios facile omnes ipsorum auxilio, deinde ipso etiam, unum per alterum, haud multo postea superaturum esse. Dio, 1. 37. 35.

<sup>3</sup> Inter eum et Cn. Pompeium et Crassum inita potentie societas, quæ ubi orboque terrarum, nec minus diverso quoque tempore, etiam ipais exitabili fuit. Vell. Pat. 2. 44.  
Motum ex Metello consule civium. &c.—Hor. Cras. 2. 1.

A. Urb. 693. Cic. 47. Cons.—Q. Cæcilius Metellus Celer. L. Afranius.

abroad, his authority would have been of singular use, at home to manage the affairs of the city, and solicit what they had to transact with the senate or people. Cæsar, therefore, was extremely desirous to add him to the party, or to engage him rather in particular measures with himself; and, no soon as he entered into the consulship, than he sent him word, by their common friend, Balbus, that he would be governed in every step by him and Pompey, with whom he would endeavour to join Crassus too<sup>1</sup>. But Cicero would not enter into any engagements, jointly with the three, whose union he abhorred; nor into private measures with Cæsar, whose intentions he always suspected. He thought Pompey the better citizen of the two; took his views to be less dangerous, and his temper more tractable; and imagined, that a separate alliance with him, would be sufficient to screen him from the malice of his enemies. Yet, this put him under no small difficulty: for if he opposed the triumvirate, he could not expect to continue well with Pompey; or if he served it, with the senate: in the first, he saw his ruin; in the second, the loss of his credit. He chose, therefore, what the wise will always chuse in such circumstances, a middle way; to temper his behaviour so, that, with the constancy of his duty to the Republic, he might have a regard also to his safety, by remitting somewhat of his old vigour and contention, without submitting to the meanness of consent or approbation; and when his authority could be of no use to his country, to manage their new masters so, as not to irritate their power to his own destruction; which was all that he desired<sup>2</sup>. This was the scheme of politics, which

A. Urb. 693. Cic. 47. Cons.—Q. Cæcilius Metellus Celer. L. Afranius.

writes about them, to Atticus, shews what a value he set upon the present, and what pleasure he expected from the use of it.

“Papirius Pætus,” says he, “an honest man, who loves me, has given me the books, which his brother Servius left; and since your agent Cincius tells me, that I may safely take them by the Cincian law<sup>1</sup>, I readily signified my acceptance of them. Now if you love me, or know that I love you, I beg of you to take care, by your friends, clients, hosts, freed-men, slaves, that not a leaf of them be lost. I am in extreme want both of the Greek books, which I guess, and the Latin, which I know him to have left: for I find more and more comfort every day, in giving all the time, which I can steal from the bar, to those studies. You will do me a great pleasure, a very great one, I assure you, by shewing the same diligence in this, that you usually do in all other affairs, which you take me to have much at heart<sup>2</sup>,” &c.

While Cicero was in the country, in the end of the year, his architect, Cyrus, was finishing for him, at Rome, some additional buildings to his house, on Mount Palatin: but Atticus, who was just returned from Athens, found great fault with the smallness of the windows; to which Cicero gives a jocular answer, bantering both the objection of Atticus, and the way of reasoning of the architects: “You little think,” says he, “that, in finding fault with my windows, you condemn the institution of Cyrus<sup>3</sup>; for, when I made the same objection, Cyrus told me, that the prospect of the fields did not appear to such advantage through larger lights. For let the eye be A: the object B, C; the rays D, E: you see the rest. If vision, indeed, were performed, as you Epicureans hold, by images flying off from the object, those images would be well crowded in so strait a passage; but if, by the emission of rays from the eye, it will be made commodiously enough. If you find any other fault, you shall have as good as you bring: unless it can be mended without any cost to me<sup>4</sup>.”

Cæsar and Bibulus entered now into the consulship, with views and principles wholly opposite to each other; while the senate were pleasing themselves with their address, in procuring one consul of their own, to check the ambition of the other, and expecting now to reap the fruit of it. But they presently found, upon trial, that the balance and constitution of the Republic were quite changed, by the overbearing power of the

<sup>1</sup> The pleasantry, which Cicero makes of the name of Atticus's agent, being the same with that of the author of the law, as if by being of that family, his authority was a good warrant for taking any present.

<sup>2</sup> Ad Att. 1. 20.

<sup>3</sup> Referring to the celebrated poem of Xenophon, called by that name.

<sup>4</sup> Ibid. 2. 3.

A. Ura 494. Cic. 44. Cæs. — C. Julius Cæs. M. Calpurnius Bibulus

there: and that Caesar was too strong to be controlled by of the legal and ordinary methods of opposition: he had gathered seven of the tribunes, of whom Vatinius was the captain of mercenaries: whose task it was to scour the streets, secure avenues of the Forum, and clear it, by a superior force, of who were prepared to oppose them.

Cicero, in the mean time, was pushing on the affair of his adoption: and soliciting the people to confirm the law, which he had provided for that purpose. The triumvirate pretended to be against it, or at least to stand neuter: but were watching Cæsar's motions, in order to take their measures from his conduct, which they did not find so obsequious as they expected. In this interval it happened that C. Antonius, Cicero's colleague, who had governed Macedonia from the time of his commission, was now impeached and brought to a trial, for the mis-administration of his province: and, being found guilty, was condemned to perpetual exile. Cicero was his advocate, and, in the course of his pleading, happened to fall, with his usual freedom, into a complaint of the times, and the oppression of the Republic, in a style that was interpreted to reflect severely upon their present rulers. The story was carried directly to Cæsar, and represented to him in such colours, that he resolved to revenge it presently on Cicero, by bringing on Clodius's law: and was so eager in it, that he instantly called an assembly of the people, and, being assisted by Pompey, as augur, to make the act legal and auspicious, got the measure carried by the people, through all the forms, within three hours from the time of Cicero's speaking.

Bibulus who was an augur too, being advertised of what was going forward, sent notice to Pompey, that he was

A. Urb. 694. Cr. 48. Cons.—C. Julius Caesar. M C 17. 18. 19. 20.

complying. For his danger was brought one step nearer, by opening the tribunate open to Clodius, whose next attempt would probably reach home to him. These laws of adoption were drawn up in the style of a petition to the people, after the following form :

"May it please you, citizens, to ordain, that P. Cicius be to all intents and purposes of law, as truly the son of Fontius, as if he were begotten of his body in lawful marriage: and that Fonteius have the power of life and death over him, as much as a father has over a proper son: this, citizens, I pray you to confirm, in the manner in which it is desired."

There were three conditions absolutely necessary to make an act of this kind regular: first, that the adopter should be older than the adopted, and incapable of procreating children after having endeavoured it, without success, when he was capable: secondly, that no injury or diminution should be done to the dignity, or the religious rites of either family: thirdly, that there should be no fraud, or collusion in it, nor any thing sought by it, but the genuine effects of a real adoption. All these particulars were to be previously examined by the college of priests; and if, after a due inquiry, they approved the petition, it was proposed to the suffrage of the citizens living in Rome, who voted according to their original division, into thirty *curiæ*, or wards, which seem to have been analogous to our parishes; where no business, however, could be transacted, when an augur or consul was observing the heavens. Now, in this adoption of Clodius, there was not one of these conditions observed: the college of priests was not so much as consulted: the adopter, Fonteius, had a wife and children: was a man obscure and unknown, not full twenty years old, when Clodius was thirty-five, and a senator, of the noblest birth in Rome: nor was there any thing meant by it, but a party to evade the laws, and procure the tribunate: for, the effect was no sooner over, than Clodius was emancipated, or set free again, by his new father, from all his obligations. But these obstacles sig-

[illegible]

• **Conjunctive Conjunction.**

**Q**—What was the last date you saw [redacted] before he came back here? **A**—I don't know.

A. URB. 694. CIC. 48. CON.—C. JULIUS CÆSAR. M. CALPURNIUS BIBULUS.

nified nothing to Cæsar, who always took the shortest way to what he aimed at, and valued neither forms nor laws, when he had a power sufficient to control them.

But the main trial of strength between the two consuls was about the promulgation of an Agrarian law, which Cæsar had prepared, for distributing the lands of Campania, to twenty thousand poor citizens, who had each three children or more. Bibulus mustered all his forces to oppose it, and came down to the forum, full of courage and resolution, guarded by three of the tribunes and the whole body of the senate; and as often Cæsar attempted to recommend it, he as often interrupted him, and loudly remonstrated against it, declaring that it should never pass in his year. From words they soon came to blows, where Bibulus was roughly handled; his fasces broken; pots of filth thrown upon his head; his three tribunes wounded, and the whole party driven out of the forum, by Vatinius, at the head of Cæsar's mob<sup>1</sup>. When the tumult was over, and the forum cleared of their adversaries, Cæsar produced Pompey and Crassus into the rostra, to signify their opinion of the law to the people; where Pompey, after speaking largely in praise of it, declared, in the conclusion, that if any should be so hardy as to oppose it with the sword, he would defend it with his shield. Crassus applauded what Pompey said, and warmly pressed the acceptance of it; so that it passed upon the spot, without any farther contradiction<sup>2</sup>. Cicero was in the country during this contest, but speaks of it with great indignation, in a letter to Atticus, and wonders at Pompey's policy, in supporting Cæsar in an act so odious, of alienating the best

A. Urb. 694. Cic. 48. Cons.—C. Julius Cæsar. M. Calpurnius Bibulus.

despair, with a resolution to shut himself up for the remaining eight months of the year, and to act no more in public but by his edicts<sup>1</sup>. This was a weak step in a magistrate, armed with sovereign authority; for, though it had one effect, which he proposed by it, of turning the odium of the city upon his colleague, yet it had another, that overbalanced it, of strengthening the hands and raising the spirits of the adverse party, by leaving the field wholly clear to them.

As Cæsar's view, in the Agrarian law, was to oblige the populace, so he took the opportunity, which the senate had thrown into his hands, of obliging the knights too, by easing them of the disadvantageous contract, which they had long, in vain, complained of, and remitting a third part of what they had stipulated to pay him<sup>2</sup>: and when Cato still opposed it, with his usual firmness, he ordered him to be hurried away to prison. He imagined that Cato would have appealed to the tribunes; but seeing him go along patiently, without speaking a word, and reflecting, that such a violence would create a fresh odium, without serving any purpose, he desired one of the tribunes to interpose and release him<sup>3</sup>. He next procured a special law from the people, for the ratification of all Pompey's acts in Asia; and, in the struggle about it, so terrified and humbled Lucullus, who was the chief opposer, that he brought him to ask pardon at his feet<sup>4</sup>.

He carried it still with great outward respect towards Cicero; and gave him to understand again, by Balbus, that he depended on his assistance in the Agrarian law: but Cicero contrived to be out of the way, and spent the months of April and May in his villa, near Antium, where he had placed his chief collection of books<sup>5</sup>; amusing himself with his studies and his children, or, as he says, jocosely, in counting the waves. He was projecting, however, a system of geography, at the request of Atticus, but soon grew weary of it, as a subject too dry and jejune to admit of any ornament<sup>6</sup>; and being desired also by

<sup>1</sup> Ac postero die in senatu conquestum, nec quoquam reperto, qui super tali con-  
sternatione referre, aut censere aliquid auderet—in eam coegit desperationem, ut  
quoad potestate abiret, domo abditus nihil aliud quam per edicta obnunciaret. Sueton.  
J. Cæs. 20.

<sup>2</sup> Dio, 38. 62.

<sup>3</sup> Plut. Cæs.

<sup>4</sup> L. Lucullo, liberius resistenti tantum calumniarum metum injecit, ut ad genua ultro  
sibi accederet. Sueton. J. Cæs. 20.

<sup>5</sup> Nam aut fortiter resistendum est legi Agrariae, in quo est quædam dimicatio, sed  
plena laudis: aut quiescendum, quod est non dissimile, atque ire in Solonium, aut  
Antium: aut etiam adjuvandum, quod a me aiunt Cæsarem sic expectare, ut non  
dubitet. Ad Att. 2. 3.

Itaque aut libris me delecto, quorum habeo Antii festivam copiam, aut fluctus numero.  
Ib. 6.

<sup>6</sup> Etenim γεωγραφικά, quæ constitueram, magnum opus est,—et hercule sunt res  
difficiles ad explicandum et ὁμοειδείς; nec tam possunt ἀνθηρογραφείσθαι, quam  
videbatur. Ib.

A. Urb. 684. Cic. 48. Cons.—C. Julius Cæsar M. Calpurnius Bibulus.

Atticus to send him the copies of two orations, which he had lately made, his answer was, that he had torn one of them, and could not give a copy; and did not care to let the other go abroad, for the praises which it bestowed on Pompey; being disposed rather to recant, than publish them, since the adoption of Clodius'. He seems, indeed, to have been too splenetic, at present, to compose any thing but invectives, of which kind he was now drawing up certain anecdotes, as he calls them, or a secret history of the times, to be shewn to none but Atticus, in the style of Theopompus, the most satirical of all writers: for all his politics, he says, were reduced to this one point, of hating bad citizens, and pleasing himself with writing against them: and since he was driven from the helm, he had nothing to wish, but to see the wreck from the shore; or, as Sophocles says<sup>2</sup>,

*Under the shelter of a good warm roof,  
With mind serenely calm and prone to sleep,  
Hear the loud storm and beating rain without.*

Clodius, having got through the obstacle of his adoption, began, without loss of time, to sue for the tribunate, whilst a report was industriously spread, which amused the city for a while, of a breach between him and Cæsar. He declared every where, loudly, that his chief view, in desiring that office, was to rescind all Cæsar's acts; and Cæsar, on his part, as openly disclaimed any share in his adoption, and denied him to be a plebeian. This was eagerly carried to Cicero by young Curio; who assured him, that all the young nobles were as much incensed against their proud kings, as he himself, and would not bear them much longer; and that Memmius and

L. l'rh. 694. Cic. 40. Com. C. Julius Cæsar. M. Calpurnius Bibulus.

of this rupture, as it is hinted in Cicero's letters, was Clodius's slighting an offer, which the triumvirate made to him, of an embassy to king Tigranes; for, being weary of his insolence, and jealous of his growing power, they had contrived this employment as an honourable way of getting rid of him: but, in the present condition of the Republic, Clodius knew his own importance too well, to quit his views at home, by an offer of so little advantage abroad; and was disgusted, that Cæsar had not named him among the twenty commissioners appointed to divide the Campanian lands; and resolved not to stir from the city, till he had reaped the fruits of the tribunate. Cicero, mentioning this affair to Atticus, says, "I am much delighted with what you write about Clodius: try all means to search into the bottom of it; and send or bring me word, whatever you either learn or suspect; and, especially, what he intends to do about the embassy. Before I read your letter, I was wishing that he would accept it; not for the sake of declining a battle with him, for I am in wonderful spirits for fighting; but I imagined, that he would lose by it all the popularity which he has gained, by going over to the plebeians.—What then did you mean by making yourself a plebeian? Was it only to pay a visit to Tigranes? Do not the kings of Armenia use to take notice of patricians? You see how I had been preparing myself to rally the embassy; which, if he slights after all, and if this, as you say, disgusts the authors and promoters of the law, we shall have rare sport. But to say the truth, Publius has been treated somewhat rudely by them; since he, who was lately the only man with Cæsar, cannot now find a place among the twenty; and after promising one embassy, they put him off with another: and, while they bestow the rich ones upon Drusus, or Vatinius, reserve this barren one for him, whose tribunate was proposed to be of such use to them. Warn him, I beg of you, on this head, as much as you can; all our hopes of safety are placed on their falling out among themselves, of which, as I understand from Curio, some symptoms begin already to appear<sup>1</sup>." But all this noise of a quarrel was found, at last, to be a mere artifice, as the event quickly showed: or, if there was any real disgust among them, it proceeded no farther, than to give the better colour to a report, by which they hoped to impose upon Cicero, and draw some unwary people into a hasty declaration of themselves; and, above all, to weaken the obstruction of Clodius's election from that quarter, whence it was chiefly to be apprehended.

<sup>1</sup> Ibid. 2. 7.

A. Urb. 694. Cte. 48. Coss.—C Julius Cæsar. M Calpurnius Bibulus.

Cicero returned to Rome in May, after an interview with Atticus, who went abroad, at the same time, to his estate in Epirus: he resolved to decline all public business, as much as he decently could, and to give the greatest part of his time to the bar, and to the defence of causes; an employment always popular, which made many friends, and few enemies; so that he was still much frequented at home, and honourably attended abroad, and maintained his dignity, he says, not meanly, considering the general oppression; nor yet greatly, considering the part which he had before acted'. Among the other causes which he pleaded this summer, he twice defended A. Thermus, and once L. Flaccus; men of prætorian dignity, who were both acquitted. The speeches for Thermus are lost; but that for Flaccus remains, yet somewhat imperfect; in which, though he had lately paid so dear for speaking his mind too freely, we find several bold reflections on the wretched state of subjection, to which the city was now reduced.

This L. Valerius Flaccus had been prætor in Cicero's consulship, and received the thanks of the senate for his zeal and vigour in the seizure of Catiline's accomplices; but was now accused by P. Lælius of rapine and oppression, in his province of Asia, which was allotted to him from his prætorship. The defence consists chiefly in displaying the dignity of the criminal, and invalidating the credit of the Asiatic witnesses. Cicero observes, that the judges, who had known and seen the integrity of Flaccus's life, through a series of great employments, were themselves the best witnesses of it, and could not want to learn it from others, especially from Grecians, that

A. Urb. 694. Cic. 48. Coss. C. Julius Cæsar. M. Culpurnius Bibulus.

liveliness, and praise, on the success of an impudent lie: whereas, of the Roman witnesses, who were produced against Flaccus, though several of them came angry, fierce, and willing to ruin him, yet, one could not help observing with what caution and religion they delivered what they had to say; and though they had the greatest desire to hurt, yet, could not do it for their scruples: that a Roman, in giving his testimony, was always jealous of himself, lest he should go too far: weighed all his words, and was afraid to let any thing drop from him too hastily and passionately; or to say a syllable more or less than was necessary<sup>1</sup>. Then, after showing at large by what scandalous methods this accusation was procured against Flaccus, and after exposing the vanity of the crimes charged upon him, together with the profligate characters of the particular witnesses, he declares, that the true and genuine Grecians were all on Flaccus's side, with public testimonies and decrees in his favour. "Here," says he, "you see the Athenians, whence humanity, learning, religion, the fruits of the earth, the rights and laws of mankind, are thought to have been first propagated; for the possession of whose city, the gods themselves are said to have contended, on the account of its beauty: which is of so great antiquity, that it is reported to have brought forth its own citizens, and the same spot to have been their parent, their nurse, and their country; and of so great authority, that the broken and shattered fame of Greece depends now singly on the credit of this city. Here also are the Lacedæmonians, whose tried and renowned virtue was confirmed not only by nature, but by discipline; who alone of all the nations upon earth, have subsisted for above seven hundred years, without any change in their laws and manners. Nor can I pass over the city of Marseilles, which knew Flaccus when first a soldier, and afterwards quæstor; the gravity of whose discipline I think preferable, not only to Greece, but to all other cities; which, though separated so far from the country, the customs, and the language of all Grecians, surrounded by the nations of Gaul, and washed by the waves of barbarism, is so wisely governed by the councils of an aristocracy, that it is easier to praise their constitution, than to imitate it<sup>2</sup>." One part of the charge

<sup>1</sup> Pro Flacco, 4. 5. This character of the Greek and Roman witnesses is exactly agreeable to what Polybius, though himself a Grecian, had long before observed: that those, who managed the public money in Greece, though they gave ever so many bonds and sureties for their behaviour, could not be induced to act honestly, or procure their faith, in the case even of a single talent: whereas, in Rome, out of pure reverence to the sanctity of an oath, they were never known to violate their trust, though in the management of the greatest sums. [Polyb. l. 6. p. 498.] This was certainly true of the old Republic; but we must make great allowance for the language of the bar, when we find Cicero applying the same integrity and regard to an oath to the character of his own times.

<sup>2</sup> Pro Flacco, 26.

A. Urb. 694. Cic. 48. Cons.—C. Julius Caesar. M. Calpurnius Bibulus.

against Flaccus, was, for prohibiting the Jews to carry out of his province the gold, which they used to collect, annually through the empire for the temple of Jerusalem; all which was seized and remitted to the treasury at Rome. The charge itself seems to imply, that the Jews made no mean figure at this time, in the empire; and Cicero's answer, though it betrays a great contempt of their religion, through his ignorance of it, yet shows, that their numbers and credit were very considerable also in Rome. The trial was held near the Aurea steps, a place of great resort for the populace, and particularly for the Jews, who used it, probably, as a kind of exchange, or general rendezvous of their countrymen: Cicero, therefore, proceeds to say, "It was for this reason, Lælius, and for the sake of this crime, that you have chosen this place, and all the crowd, for the trial: you know what a numerous band of Jews are; what concord among themselves; what a bustle they make in our assemblies. I will speak softly, that the judges only may hear me; for there are people ready to incite the multitude against me, and against every honest man; and I would not willingly lend any help to that design. Since our gold is annually carried out of Italy, and all the provinces, in the name of the Jews, to Jerusalem, Flaccus, by a public edict prohibited the exportation of it from Asia; and where is there a man, judges, who does not truly applaud this act? The senate, on several different occasions, but more severely in my consulship, condemned the exportation of gold. To withstand this barbarous superstition was a piece, therefore, of laudable

A. C. 694 C. 18. Com.—C. Julius Caesar. M. Calpurnius Bibulus.

more ought they to be held so now: since they have let us see, by taking arms, what opinion they have of us: and, by their being conquered, how dear they are to the gods<sup>1</sup>." He proceeds in the last place, to show, what he had intimated in the beginning, that the real aim of this trial was to sacrifice those who had signalized themselves against Catiline, to the malice and revenge of the seditions; and puts the judges in mind, that the fate of the city, and the safety of all honest men, now rested on their shoulders: that they saw in what an unsettled state things were, and what a turn their affairs had taken: that, among many other acts, which certain men had done, they were now contriving, that, by the votes and decisions of the judges, every honest man might be undone: that these judges, indeed, had given many laudable judgments in favour of the Republic: many against the wickedness of the conspirators: yet, some people thought the Republic not yet sufficiently changed, till the best citizens were involved in the same punishment with the worst. "C. Antonius," says he, "is already oppressed; let it be so: he had a peculiar infamy upon him: yet, even he, if I may be allowed to say it, would not have been condemned by you: upon whose condemnation a sepulchre was dressed up to Catiline, and celebrated with a feast and concourse of our audacious and domestic enemies, and funeral rites performed to him: now the death of Lentulus is to be revenged on Flaccus; and, what more agreeable sacrifice can you offer to him, than by Flaccus's blood to satiate his detestable hatred of us all? Let us then appease the manes of Lentulus; pay the last honours to Cethegus; recall the banished; nay, let me also be punished for the excess of my love to my country: I am already named and marked out for a trial: have crimes forged; dangers prepared for me; which, if they had attempted in any other method, or if, in the name of the people, they had stirred up the unwary multitude against me, I could better have borne it; but it is not to be endured, that they should think to drive out of the city, the authors, the leaders, the champions of our common safety, by the help of senators and knights, who, with one mind and consent, assisted so greatly in the same cause. They know the mind and inclination of the Roman people: the people themselves take all possible occasions of declaring it: there is no variety in their sentiments or their language. If any one, therefore, call me thither, I come: I do not only not refuse, but require the Roman people for my judge: let force only be excluded; let swords and stones be removed; let mercenaries be quiet; let

<sup>1</sup> Pro Flacco, 28.

A. Urb. 694. Cic. 48. Cons.—C. Julius Caesar. M. Calpurnius Bibulus.

slaves be silent; and when I come to be heard for myself there will not be a man so unjust, if he be free and a citizen who will not be of opinion, that they ought to vote me reward rather than punishment'." He concludes, by applying to himself, as usual, to move the pity and clemency of the Senate towards the person of the criminal, by all the topics proper to excite compassion; the merit of his former services; the loss of his family; the tears of his children; the discouragement to the honest; and the hurt, which the Republic would suffer by being deprived, at such a time, of such a citizen.

Q. Cicero, who succeeded Flaccus in the province of Asia, was now entering into the third year of his government, when Cicero sent him a most admirable letter of advice, about the administration of his province; fraught with such excellent precepts of moderation, humanity, justice, and laying down rules of governing, so truly calculated for the good of mankind, that it deserves a place in the closets of all who govern, and especially of those who are entrusted with the command of foreign provinces; who, by their distance from any immediate control, are often tempted, by the insolence of power, to acts of great oppression.

The triumvirate was now dreaded and detested by all ranks of men: and Pompey, as the first of the league, had the first share of the public hatred: "so that these affecters of popularity," says Cicero, "have taught even modest men to hiss." Bibulus was continually teasing them by his edicts; in which he inveighed and protested against all their acts. These edicts

A. C. A. 694. Cr. 48. Cont.—G. Julius Cunn. N. California Edition.

storm his house, and drag him out by force: and Vatinius actually made an assault upon it, though without success'. Not while all the world disliked, lamented, and talked loudly against these proceedings; and, above all, young Cato, at the head of the young nobility; "yet, we seek no remedy," says Cicero, "through a persuasion, that there is no resisting, but in our destruction'."

The inclinations of the people were shown, chiefly, as he tells us, in the theatres and public shows; where, when Cæsar entered, he was received only with a dead applause; but when young Curio, who followed him, appeared, he was clapped, as Pompey used to be in the height of his glory. And in the Apollinarian plays, Diphilus, the tragedian, happening to have some passages, in his part, which were thought to hit the character of Pompey, he was forced to repeat them a thousand times:

Yong, by our miseries, art great.—

The time will come, when they will wretchedly lament that justice—

If neither law nor custom can restrain them—

at each of which sentences, the whole theatre made such a roaring and clapping, that they could hardly be quieted". Pompey was greatly shocked, to find himself fallen so low in the esteem of the city: he had, hitherto, lived in the midst of glory, an utter stranger to disgrace, which made him the more impatient under so mortifying a change: "I could scarce refrain from tears," says Cicero, "to see what an abject, paltry figure he made in the rostra, where he never used to appear, but with universal applause and admiration: meanly haranguing against the edicts of Bibulus, and displeasing not only his audience, but himself; a spectacle, agreeable to none so much as to Crassus: to see him fallen so low from such a

<sup>1</sup> Putarat Camar oratione sua posse impelli concionem, ut iret ad Bibulum: multa cum antiphrasibus diceret, vocem exprimere non potuit. Ib. 21.

Qui consulem morti obieceris, inclusum obsederis, extrahere ex viuis tectis conatus sis.  
In Vat. 9.

\* Nunc quidem novo quodam morbo civitas moritur; ut cum omnes ea, quae sunt acta, improbant, querantur, doleant, varietas in re nulla sit, aperteque loquantur et jam clare gement; tamen medicina nulla afferatur, neque enim resenti sine intermissione posse arbitramur. Ad Att 2, 20.

\* *Diphilus Tragedus* in nostrum Pompeium petulanter invertus est. "Nostra miseria tu es magnus," millies coactus est dicere. "Tandem virtutem istam veniet tempus cum graviter gemes," totius theatri clamore dixit, itaque cetera. Nam et ejusmodi sunt ii verus, ut in tempus ab inimico Pompeii scripti esse videantur. "Si neque leges, neque mores cogunt," et cetera magno cum fremitu et clamore dicta sunt. *Ibid.* 19.

Valerius Maximus, who tells the same story, says, that Diphilus, in pronouncing those sentences, stretched out his hands towards Pompey, to point him out to the company. But it appears, from Cicero's account of it, in his letter to Atticus, that Pompey was then at Capua; whither Cæsar sent an express to him, in all haste, to acquaint him with what had passed, and to call him, probably, to Rome. Val. Max. 6. 2.

A. Urb. 694. Cic. 48. Cons.—C. Julius Cæsar. M. Calpurnius Bibulus.

height:—and as Apelles, or Protogenes, would have grieved to see one of their capital pieces besmeared with so it was a real grief to me, to see the man, whom I painted with all the colours of my art, become of a sudden deformed; for though nobody can think, since the affair of Clodius, that I have any reason to be his friend, yet my love for him was so great, that no injury could efface it<sup>1</sup>.”

Cæsar, on the other hand, began to reap some part of the fruit, which he expected from their union: he foresaw, from the first, that the odium of it would fall upon Pompey; the benefit accrue to himself<sup>2</sup>: till Pompey, gradually sinking under the envy, and himself insensibly rising by the power of it, they might come at last to act upon a level: or, as Florus states the several views of the three, Cæsar wanted to acquire Crassus to increase; Pompey to preserve his dignity<sup>3</sup>. So that Pompey, in reality, was but the dupe of the other two; whereas, if he had united himself with Cicero, and through him with the senate, whither his own and his country's interest called him, and where, from the different talents of the men, there could have been no contrast of glory or power; he must have preserved, through life, what his utmost ambition seemed to aim at, the character not only of the first, but of the best citizen in Rome: but, by his alliance with Cæsar, he lent his authority to the nursing up a rival, who gained upon him daily in credit, and grew too strong for him, at last, in power. The people's disaffection began to open his eyes, and make him sensible of his error; which he frankly owned to Cicero, and seemed desirous of entering into measures with him to retrieve it<sup>4</sup>. He saw himself on the brink of a precipice, where to proceed was ruinous, to retreat ignominious: the honest were become his enemies: and the fugitives had never been his

A. Urb. 694. Cic. 48. Cons.—C. Julius Caesar. M. Calpurnius Bibulus.

Cæsar, however, unwilling to let the matter drop so easily, brought him out again the next day, and produced him to the people in the rostra; and, in that place, where Bibulus, the consul, durst not venture to shew himself, exhibited this wreath as his puppet, to utter whatever he should think fit to inspire. Vettius impeached several here, whom he had not named before in the senate; particularly Lucullus and Domitius: he did not name Cicero, but said, that a certain senator, of great eloquence, and consular rank, and a neighbour of the consul, had told him, that the times wanted another Brutus, or Alibi. When he had done, and was going down, being called back again, and whispered by Vatinius, and then asked, alone, whether he could recollect nothing more, he farther declared, that Piso, Cicero's son-in-law, and M. Laterensis, were also privy to the design<sup>1</sup>. But it happened in this, as it commonly does in all plots, of the same kind, that the too great eagerness of the managers destroyed its effect: for, by the extravagance to which it was pushed, it confuted itself; and was entertained with so general a contempt, by all orders, that Cæsar was glad to get rid of it, by strangling or poisoning Vettius privately, in prison, and giving it out, that it was done by the conspirators<sup>2</sup>.

The senate had still one expedient in reserve for mortifying Cæsar, by throwing some contemptible province upon him, at the expiration of his consulship; as the care of the woods or the roads; or what should give him at least no power to molest them<sup>3</sup>. The distribution of the provinces was, by ancient usage and express law, their undoubted prerogative; which had never been invaded, or attempted by the people<sup>4</sup>; so that this piece of revenge, or rather self-defence, seemed to be

many discovered which cannot be extracted from you; I am content to run into particulars, when I want you for anything, as it depends on your coming before he can do his business. Wherefore, if this finds you at home, let me know if you will come away: if coming, a thing which is inevitable, what a stress I lay on your coming, and how much above all on your love to me.

Cæsar's policy in this affair, was to subdue Cicero, and to bring him so far, as to force him to a dependence on him for a while; while he was privately encouraging Cicero to quit him, he was proposing expedients to Cicero for his security. He offered to put him into the commission for distributing the lands of Campania, with which twenty of the principal senators were charged: but, as it was an invitation only into the place of one deceased, and not an original designation, Cicero did not think it for his dignity to accept it: nor cared, on any account, to bear a part in an affair so odious. He then offered, in the most obliging manner, to make him one of his lieutenants in Gaul, and pressed it earnestly upon him: which was both a sure and honourable way of avoiding the danger, and what he might have made use of, as he thought as it served his purpose, without embarrassing himself with the duty of it: yet Cicero, after some hesitation, rejected this also. He was unwilling to owe the obligation of his safety, to any man, and much more to Cæsar: being desirous, if possible, to defend himself by his own strength; as he could easily have done, if the triumvirate would not have acted against him. But this stiffness so exasperated Cæsar, that he resolved immediately to assist Clodius, with all his

A. Urb. 694. Cic. 48. Cons.—C. Julius Cæsar. M. Calpurnius Bibulus.

picion of violence. His wife, the sister of Clodius, a low intriguing woman, was commonly thought to have poisoned him; as well to revenge his opposition to all the attempts of her brother, as to gain the greater liberty of pursuing her own amours. Cicero does not scruple to charge her with it, in a speech for Cælius, where he gives a moving account of the death of her husband, whom he visited in his last moments, when, in broken, faltering accents, he foretold the storm, which was ready to break, both upon Cicero, and the Republic; and, in the midst of his agonies, signified it to be his only concern, in dying, that his friend and his country should be deprived of his help at so critical a conjuncture<sup>1</sup>.

By Metellus's death a place became vacant in the college of Augurs: and though Cicero was so shy of accepting any favour from the triumvirate, yet he seems inclined to have accepted this, if it had been offered to him, as he intimates in a letter to Atticus. "Tell me," says he, "every tittle of news that is stirring; and since Nepos is leaving Rome, who is to have his brother's augurate, it is the only thing with which they could tempt me. Observe my weakness! But what have I to do with such things, to which I long to bid adieu, and turn myself entirely to philosophy? I am now in earnest to do it; and wish that I had been so from the beginning<sup>2</sup>." But his inclination to the augurate, at this time, was nothing else, we see, but a sudden start of an unweighed thought; no sooner thrown out than retracted; and dropped only to Atticus, to whom he used to open all his thoughts, with the same freedom, with which they offered themselves to his own mind<sup>3</sup>:

<sup>1</sup> Cum ille—tertio die post quam in curia, quam in rostris, quam in Repub. florueret, integritate optime habet, maximis viribus disceptet bonis, aut his atque uti-

118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.

It is certain, that he might have had this very argument, if he had thought it worth asking for; nay, in a letter to Cato, he could not be ignorant of the fact, he says, that he had actually slighted it: which seems, indeed, to have been the case: for though he was within twenty miles of Rome, yet he never stirred from his retreat, to solicit or offer himself for which he must necessarily have done, if had any real desire to obtain it.

Cicero's fortunes seemed now to be in a tottering condition: his enemies were gaining ground upon him, and any addition of help from the new magistrates might turn the scale to his ruin. Catulus used to tell him, that he had no cause to fear any thing; for that one good consul was sufficient to protect him; and Rome had never known two bad ones in office together, except in Cinna's tyranny<sup>1</sup>. But that day was now come; and Rome saw, in this year, what it had never seen before, in peaceful times, since its foundation—two profligate men advanced to that high dignity.

These were L. Calpurnius Piso and A. Gabinius; the one, the father-in-law of Caesar; the other, the creature of Pompey. Before their entrance into office, Cicero had conceived great hopes of them, and not without reason; for, by the marriage of his daughter, he was allied to Piso; who continued to give him all the marks of his confidence, and had employed him in his late election, to preside over the votes of the leading century: and, when he entered into his office, on the first of January, asked his opinion the third in the senate, or the next after Pompey and Crassus<sup>2</sup>: and he might flatter himself also, probably, that on account of the influence which they were under, they would not be very forward to declare themselves against him<sup>3</sup>. But he presently found himself deceived: for Clodius had already secured them to his measures by a private contract, to procure for them, by a grant of the people, two of

<sup>1</sup> Sacerdotium denique, cum, quemadmodum te existimare arbitror, non difficillime consequi possem, non appetivi.—Idem post injuriam acceptam—studui quam ornatissima senatus populique Romani de me judicis intercedere. Itaque et Augur postea fieri volui, quod antea neglexeram. Ep. fam. 15. 4.

<sup>2</sup> Audieram ex sapientissimo homine—Q. Catulo, non sepe unum consulem improbum, duos vero nunquam post Rotnam conditam, excepto illo Cinnano tempore, fuisse. Quare meam causam semper fore firmissimam dicere solebat, dum vel unus in Repub. Consul esset. Post red. in Sen. 4.

<sup>3</sup> Consules se optime ostendunt. Ad Quint. Fr. 1. 2.

Tu misericors me affinem tuum, quem tuis comitiis prerogative primum custodem prefeceras; quem kalendis Januariis tertio loco sententiam rogaras, constrictum inimicis Reipub. tradidisti. Post red. in Sen. 7. In Pis. 3. 6.

<sup>4</sup> The author of the Exile of Cicero, to aggravate the perfidy of Gabinius, tells us, that Cicero had defended him in a capital cause, and produces a fragment of the oration: but he mistakes the time of the fact; for that defence was not made till several years after this consulship; as we shall see hereafter, in its proper place. Hist. de l'Exil de Cic. p. 115.

A. Urb. 695. Cic. 49. Coss.—J. Calpurnius Piso. A Gabinius.

the best governments of the empire; for Piso, Macedonia, with Greece and Thessaly; for Gabinius, Cilicia: and when the last was not thought good enough, and Gabinius seemed to be displeased with his bargain, it was exchanged, soon after, for Syria, with a power of making war upon the Parthians<sup>1</sup>. For this price they agreed to serve him in all his designs, and particularly in the oppression of Cicero; who, on that account, often calls them, not consuls, but brokers of provinces, and sellers of their country<sup>2</sup>.

They were, both of them, equally corrupt in their morals, yet very different in their tempers. Piso had been accused, the year before, by P. Clodius, of plundering and oppressing the allies: when by throwing himself at the feet of his judges, in the most abject manner, and in the midst of a violent rain, he is said to have moved the compassion of the bench, who thought it punishment enough, for a man of his birth, to be reduced to the necessity of prostrating himself so miserably, and rising so deformed and besmeared with dirt<sup>3</sup>. But, in truth, it was Cæsar's authority that saved him, and reconciled him, at the same time, to Clodius. In his outward carriage, he affected the mien and garb of a philosopher; and his aspect greatly contributed to give him the credit of that character: he was severe in his looks; squalid in his dress; slow in his speech; morose in his manners; the very picture of antiquity, and a pattern of the ancient Republic; ambitious to be thought a patriot, and a reviver of the old discipline. But this garb of rigid virtue covered a most lewd and vicious mind: he was surrounded, always, with Greeks, to imprint a

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

His colleague, Gabinus, was no hypocrite, but a professed rake from the beginning; gay, foppish, luxurious; always curled and perfumed; and living in a perpetual debauch of gaming, wine, and women; void of every principle of virtue, honour, and probity; and so desperate in his fortunes, through the extravagance of his pleasures, that he had no other resource, or hopes of subsistence, but from the plunder of the Republic. In this tribunate, to pay his court to Pompey, he exposed to the mob the plan of Lucullus's house, to show what an expensive fabric one of the greatest subjects of Rome was building, as he would intimate, out of the spoils of the treasury; yet, this vain man, oppressed with debts, and scarce able to show his head, found means, from the perquisites of his consulship, to build a much more magnificent palace than Lucullus himself had done<sup>1</sup>. No wonder, then, that two such consuls, ready to sacrifice the empire itself to their lusts and pleasures, should barter away the safety and fortunes of a private senator, whose virtue was a standing reproof to them, and whose very presence gave some check to the free indulgence of their vices.

Clodius, having gained the consuls, made his next attempt upon the people, by obliging them with several new laws, contrived chiefly for their advantage, which he now promulgated. First, that corn should be distributed gratis to the citizens. Secondly, that no magistrates should take the auspices, or observe the heavens, when the people were actually assembled on public business. Thirdly, that the old companies, or fraternities of the city, which the senate had abolished, should be revived, and new ones instituted. Fourthly, to please those also of higher rank, that the censors should not expel from the senate, or inflict any mark of infamy on any man, who was not first openly accused, and convicted of some crime, by their joint sentence<sup>2</sup>. These laws, though generally agreeable,

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intueri. Vestitus aspere nostra hac purpura plebeia et pene fusca. Capillo ita horrido, ut—tanta erat gravitas in oculo, tanta contractio frontis, ut illo supercilio Respub., tanquam Atlante cœlum, niti videretur. [Pro Sext. 8.] Quia tristem semper, quia taciturnum, quia subhorridum atque incultum videbant, et quod erat eo nomine, ut ingenerata familie frugalitas videretur; favebant—etenim animus ejus vultu, flagitia parietibus tegebantur—laudabat homo doctos Philosophos nescio quos—9. Jacebat in suo Græcorum fœtore et vino—Græci stipati, quini in lectulis, sæpe plures. In Pis. 10. 27.

His utitur quasi præfectis libidinum suarum: hi voluptates omnes vestigant atque odorantur; hi sunt conditores instructoresque convivii, &c. Post red. in Sen. 6.

Obrepisti ad honores errore hominum, commendatione fumosarum imaginum, quarum simile nihil habes præter colorem. In Pis. 1.

<sup>1</sup> Alter unguentis affluens, calamistrata coma, despiciens conscios stuprorum—fecellit neminem—hominem emersum subito ex diuturnis tenebris lustrorum ac stuprorum—vino, ganeis, lenociniis, adulteriisque confectum. Pro Sext. 9.

Cur ille gurgis, heluatus tecum simul Reipub. sanguinem, ad cœlum tamen extraxit villam in Tusculano visceribus ærarii. Pro Dom. 47.

<sup>2</sup> Vid. Orat. in Pis. 4. et notas Asconii. Dio, l. 38. p. 67.

THE LIFE OF C. CICERO - Part A. Gabinus.

were highly unseasonable: tending to relax the public discipline, at a time when it wanted most to be reinforced: Cicero took them all to be levelled at himself, and contrived to pave the way to his ruin: so that he provided his friend, L. Ninnius, one of the tribunes, to put his negative upon them; especially on the law of fraternities; which, under colour of incorporating those societies, gave Clodius an opportunity of gathering an army, and enlisting into his service all the scum and dregs of the city<sup>1</sup>. Dion Cassius says, that Clodius, fearing, lest this opposition should retard the effect of his other projects, persuaded Cicero in an amicable conference, to withdraw his tribune, and give no interruption to his laws, upon a promise and condition, that he would not make any attempt against him<sup>2</sup>: but we find, from Cicero's account, that it was the advice of his friends which induced him to be quiet against his own judgment: because the laws themselves were popular, and did not personally affect him: though he blamed himself, soon afterwards for his incoherence, and expostulated with Atticus, for advising him to it: when he felt, to his cost, the advantage which Clodius had gained by it<sup>3</sup>.

For the true design of all these laws was, to introduce only with better grace, the grand plot of the play—the banishment of Cicero: which was now directly attempted, by a special law, importing, that whoever had taken the life of a citizen, unconvicted, and without a trial, should be prohibited from fire and water<sup>4</sup>. Though Cicero was not named, yet he was marked out by the law: his crime was, the putting Catiline's

and the law was passed, and the banishment of Cicero determined by his single

A. Urb. 685. Ck. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

ty of the knights, and the young nobility, to the number of fifty thousand<sup>1</sup>, with young Crassus at their head, who all changed their habit, and perpetually attended him about the city, to implore the protection and assistance of the people. The city was now in great agitation, and every part of it engaged on one side or the other. The senate met in the temple of Concord; while Cicero's friends assembled in the Capitol; whence all the knights and the young nobles went in their habit of mourning, to throw themselves at the feet of the consuls, and beg their interposition in Cicero's favour. He kept his house that day, on purpose to avoid them; but Cicerinus received them with intolerable rudeness, though their petition was seconded by the entreaties and tears of the whole senate: he treated Cicero's character and consulship with the most derision, and repulsed the whole company, with threats and insults, for their fruitless pains to support a sinking cause. This raised great indignation in the assembly; where the tribune, Ninnius, instead of being discouraged by the violence of the consul, made a motion, that the senate also should change their habit, with the rest of the city: which was agreed to, instantly, by an unanimous vote. Gabinus, enraged at this, flew out of the senate into the Forum; where he declared to the people, from the rostra, that men were mistaken to imagine, that the senate had any power in the Republic; that the knights should pay dear for that day's work; when, in Cicero's consulship, they kept guard in the Capitol, with their drawn swords: and, that the hour was now come, when those, who lived at that time in fear, should revenge themselves on their enemies: and, to confirm the truth of what he said, he banished L. Lamia, a Roman knight, two hundred miles from the city, for his distinguished zeal and activity in Cicero's service<sup>2</sup>; an act of power, which no consul before him had ever presumed to exert on any citizen; which was followed presently, by an edict from both the consuls, forbidding the senate to put their late vote in execution, and enjoining them to

<sup>1</sup> Pro me presente senatus, hominumque viginti millia vestem mutaverunt. Post red. ad Quir. 3.

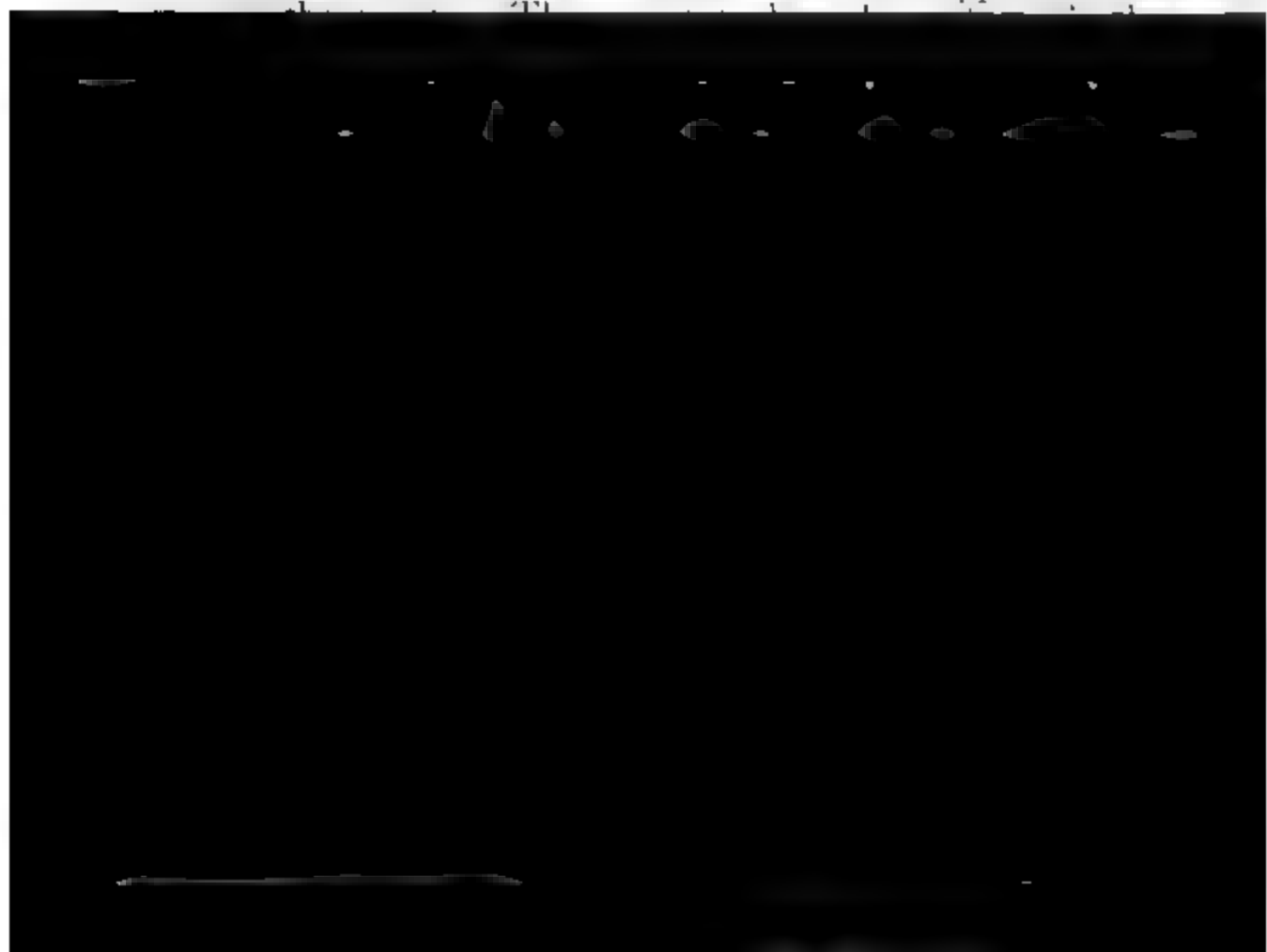
<sup>2</sup> Hic subito cum incredibilis in Capitolium multitudo ex tota urbe, cunctaque Italia convenisset, vestem mutandam omnes, neque etiam omni ratione, privato consilio, quodam publicis ducibus Respub. careret, desiderandum putarunt. Erat eodem tempore senatus in aede Concordiæ, cum flens universus ordo cincinnatum consulem orabat. nam ille horridus et severus domi se consulo tenebat. Qua tum superbia cornu illud e labes amplissimi ordinis preces et clarissimorum virum lacrymas repudiavit? Me peum ut contempsit helluo patriæ? Vestris precibus a hacone isto repudiatis vir incredibili fide—L. Ninnius ad senatum de Repub. retulit. Sciatque frequens vestem pro mea salute mutandam censuit—Exanimatus evolat e senatu—advocat concionem—errare homines, si etiam tum senatum aliquid in Rep. posse arbitrarentur.—Venisse tempus illi, qui in timore fuissent, ulciscendi se.—L. Lamiam—in concione relegavit, edixitque ut ab urbe abesset millia passuum ducenta—[Pro Sext. 11, 12, 13. it. post red. in Sen. 5.] Quod ante id tempus civi Romano contigit nemini. Epist. fam. 11. 16.

A. Urb. 695. Cic. 49. Cons.—I. Calpurnius Piso. A. Gabinus.

resume their ordinary dress'. "And where is there," said Cicero, "in all history, a more illustrious testimony, to honour of any man, than that all the honest, by private intimation, and the senate, by a public decree, should change their habit for the sake of a single citizen?"

But the resolution of changing his gown was too hasty and inconsiderate, and helped to precipitate his ruin. He was named in the law, nor personally affected by it: the terms it were general, and seemingly just, reaching only to those who had taken the life of a citizen illegally. Whether it was his case, or not, was not yet the point in issue, but it was the subject of another trial; so that, by making himself a criminal, before his time, he shortened the trouble of his enemies, discouraged his friends, and made his case more desperate than he needed to have done: whereas, if he had taken the pains of commending or slighting the law, as being wholly unconcerned in it; and, when he came to be actually attacked by a new law, and brought to a trial upon it, had stood resolutely upon his defence, he might have baffled the malice of his prosecutors. He was sensible of his error, when it was too late, and oft reproaches Atticus, that, being a stander-by, and heated in the game than himself, he would suffer him to make such blunders'.

As the other consul, Piso, had not yet explicitly declared himself, Cicero, accompanied by his son-in-law, who was his near kinsman, took occasion to make him a visit, in hope to move him to espouse his cause, and support the authority of the law.



A. Urb. 685. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

utterly ruined, if he could not procure some rich province ; he had hopes of one from Clodius, but despaired of any from the senate ; that, for his own part, it was his business to humour him, on this occasion, as Cicero had humoured his colleagues in his consulship ; and that there was no reason to implore the help of the consuls, since it was every man's business to look to himself<sup>1</sup> : which was all that they could get from him.

Clodius, all the while, was not idle, but pushed on his law with great vigour ; and, calling the people into the Flaminian circus, summoned thither also the young nobles and the knights, who were so busy in Cicero's cause, to give an account of their conduct to that assembly : but, as soon as they appeared, he ordered his slaves and mercenaries to fall upon them with their swords, and volleys of stones, in so rude a manner, that Hortensius was almost killed, and Vibienus, another senator, desperately hurt, that he died, soon after, of his wounds<sup>2</sup>. Then he produced the two consuls, to deliver their sentiments to the people, on the merit of Cicero's consulship ; when Gabinus declared, with great gravity, that he utterly condemned the putting citizens to death without a trial : Piso only said, that he had always been on the merciful side, and had a great aversion to cruelty<sup>3</sup>. The reason of holding this assembly in the Flaminian circus, without the gates of Rome, was to give Caesar an opportunity of assisting at it, who, being now interested with a military command, could not appear within the walls. Cæsar, therefore, being called upon, after the consuls, to deliver his mind, on the same question, declared, that the proceedings against Lentulus, and the rest, were irregular and illegal : but that he could not approve the design of punishing any body for them : that all the world knew his sense of the matter, and that he had given his vote against taking away their lives ; yet he did not think it right to propound a law, at his time, about things that were so long past<sup>4</sup>. This answer was artful, and agreeable to the part which he was then acting ;

<sup>1</sup> Egere—Gabinium ; sine provincia stare non posse : spem habere a tribuno pleb.—senatu quidem desperasse : hujus te cupiditati obsequi, sicut ego fecissem in collega meo : nihil esse quod præsidium consulum implorarem ; sibi quemque consulere oportere, &c. In Pis. 6.

<sup>2</sup> Qui adesse nobilissimos adolescentes, honestissimos equites Romanos deprecatores me salutis jussit ; eosque operarum suarum gladiis et lapidibus objecerit. Pro ext. 12.

Vidi hunc ipsum Hortensium, lumen et ornamentum Reipub. pene interfici servorum manu—qua in turba C. Vibienus, senator, vir optimus, cum hoc cum esset una, ita est calcatus, ut vitam amiserit. Pro Mil. 14.

<sup>3</sup> Pressa voce et temulenta, quod in cives indemnatos esset animadversum, id sibi exit gravis auctor vehementissime displicere. Post red. in Sen. 6.

Cum esses interrogatus quid sentire de consulatu meo, respondes, crudelitatem tibi non placere. In Pis. 6. Te semper misericordem fuisse. Post red. in Sen. 7.

<sup>4</sup> Dio, l. 38. p. 69.

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinia.

for while it confirmed the foundation of Clodius's law, it carried a show of moderation towards Cicero; or, as an ingenious writer expresses it "left appearances only to the one, but a real service to the other'."

In this same assembly, Clodius got a new law likewise enacted, that made a great alteration in the constitution of the Republic; viz. the repeal of the Ælian and Fusian laws; which the people were left at liberty to transact all public business, even on the days called *Fasti*, without being liable to be obstructed by the magistrates, on any pretence whatsoever. The two laws, now repealed, had been in force about a hundred years'; and made it unlawful to act any thing with the people, while the augurs or consuls were observing the heavens and taking the auspices. This wise constitution was the main support of the aristocratical interest, and a perpetual curb to the petulance of factious tribunes, whose chief opportunity of doing mischief lay in their power of obtruding dangerous laws upon the city, by their credit with the populace. Cicero, therefore, frequently laments the loss of these two laws, as fatal to the Republic; he calls them, the most sacred and salutary laws of the state: the fences of their civil peace and quiet; the very walls and bulwarks of the Republic, which had held out against the fierceness of the Gracchi; the audaciousness of Saturninus; the mobs of Drusus; the bloodshed of Cinna; the arms of Sylla'; to be abolished, at last, by the violence of this worthless tribune.

Pompey, who had hitherto been giving Cicero the strongest

A. Urb. 695. Cl. 48. Cons.—L. Calpurnius Piso. A. Gabinius.

his hands, to be cautious of venturing himself there, and to take better care of his life; which was inculcated to him, likewise, so strongly at home, by perpetual letters and messages, from pretended friends, that he thought fit to withdraw himself from the city, to his house on the Alban hill<sup>1</sup>. It cannot be imagined, that he could entertain any real apprehension of Cicero; both Cicero's character, and his own, make that incredible: but if he had conceived any, it was not, as Cicero says, against him, but against the common enemies of them both, that they might possibly attempt somewhat in Cicero's name; and, by the opportunity of charging it upon Cicero, hope to get rid of them both at the same time. But the most probable conjecture is, that, being obliged by his engagements with Caesar to desert Cicero, and suffer him to be driven out of the city, he was willing to humour these insinuations, as giving the most plausible pretext of excusing his perfidy.

But Cicero had still with him, not only all the best, but much the greatest part of the city, determined to run all hazards, and expose their lives for his safety<sup>2</sup>; and was more than a match for all the strength of Clodius and the consuls, if the triumvirate only would stand neuter. Before things came, therefore, to extremity, he thought it advisable to press Pompey, in such a manner, as to know, for certain, what he had to expect from him: some of his chief friends undertook this task; Lucullus, Torquatus, Lentulus, &c. who, with a numerous attendance of citizens, went to find him at his Alban villa, and to intercede with him, not to desert the fortunes of his old friend. He received them civilly, though coldly; referring them wholly to the consuls, and declaring, that he, being only a private man, could not pretend to take the field against an armed tribune, without a public authority; but if the consuls, by a decree of the senate, would enter into the affair, he would presently arm himself in their defence<sup>3</sup>. With this answer they addressed themselves again to the consuls, but with no better success than before; Gabinius treated them rudely; but Piso calmly told them, that he was not so stout a consul as

<sup>1</sup> Cum iidem illum, ut me motueret, me caveret, monuerunt; iidem me, mihi illum mihi esse inimicissimum, dicerent.—Pro Dom. 11.

Quem—domi meo certi homines ad eam rem compositi monuerunt, ut esset cautior: ejusque vite a me insidias apud me domi positae esse dixerunt: atque hanc ei suspitionem alii litteris mittendis, alii nunciis, alii coram ipsi excitaverunt, ut ille, cum a me certe nihil timeret, ab illis, ne quid meo nomine molirentur, cavendum putaret. Pro Sext. 18.

<sup>2</sup> Si ego in causa tam bona, tanto studio senatus, consensu tam incredibili bonorum omnium, tam parato, tota denique Italia ad omnem contentionem expedita. Ibid. 16.

<sup>3</sup> Nonne ad te L. Lentulus, L. Torquatus, M. Lucullus venit? Qui omnes ad eum multique mortales oratum in Albanum obsecratumque venerant, ne meas fortunas desereret, cum Reipub. fortunis conjunctas.—Se contra armatum tribunum pleb. sine consilio publico decertare nolle: Consulibus ex senatus consulto Reipub. defendentibus, se arma sumpturum. In Pis. 31.

A. U. R. 685. Cic. 49. Com.—L. Calpurnius Piso. A. Gabinus.

Torquatus and Cicero had been; that there was no need of arms, or fighting; that Cicero might save the Republic a second time, if he pleased, by withdrawing himself; for if he staid, it would cost an infinite quantity of civil blood; and in short, that neither he, nor his colleague, nor his son-in-law Caesar, would relinquish the party of the tribune<sup>1</sup>.

After this repulse, Cicero resolved to make his last effort on Pompey, by throwing himself, in person, at his feet. Plutarch tells us, that Pompey slipped out at the back door, and would not see him: but it is certain, from Cicero's account, that he was admitted to an audience; and when he began to press, and even supplicate him, in a manner the most affecting, Pompey flatly refused to help him: alleging, in excuse, the necessity, which he was under, of acting not against the will of Cæsar<sup>2</sup>. This experiment convinced Cicero that he had a much greater power to contend with, than he had yet appeared in sight: he called, therefore, a council of his friends, with intent to take his final resolution, agree to their advice. The question was, Whether it was best to stay, and defend himself by force; or to save the effusion of blood, by retreating, till the storm should blow over? Lucius advised the first; but Cato, and, above all, Hortensius, urged the last; which, concurring also with Atticus's advice, as well as the fears and entreaties of all his own family, made him resolve to quit the field to his enemies, and submit to voluntary exile<sup>3</sup>.

A little before his retreat, he took a small statue of Minerva, which had long been revered in his family, as a kind



A. Urb. 685. Cæ. 49. Cæs.—L. Calpurnius Pison. A. Gabinius.

conspicuous part of the city, as a monument of his services, which would naturally excite an affectionate remembrance of him in the people, by letting them see, that his heart was still there, where he had deposited his gods. After this act, he withdrew himself in the night, escorted by a numerous guard of friends, who, after a day's journey or two, left him, with great expressions of tenderness, to pursue his way towards Sicily; which he proposed for the place of his residence, and where, for his eminent services to the island, he assured himself of a kind reception and safe retreat.

## SECTION V.

THE wretched alternative to which Cicero was reduced, of losing either his country or his life, is sufficient to confute all the cavils of those, who, from a hint or two in his writings, obscurely thrown out, and not well understood, are so forward to charge him with the levity of temporizing, or selling himself for any bribe, which could feed his vanity: for nothing is more evident, than that he might not only have avoided this storm, but obtained whatever honours he pleased, by entering into the measures of the triumvirate, and lending his authority to the support of their power; and that the only thing which provoked Cæsar to bring this calamity upon him, was, to see all his offers slighted, and his friendship utterly rejected by him<sup>1</sup>. This he expressly declares to the senate, who were conscious of the truth of it; that Cæsar had tried all means to induce him to take part in the acts of his consulship: had offered him commissions and lieutenantancies, of what kind and with what privileges he should desire; to make him even a fourth in the alliance of the three, and to hold him in the same rank of friendship with Pompey himself. "All which I refused," says he, "not out of slight to Cæsar, but constancy to my principles; and because I thought the acceptance of them unbecoming the character which I sustained; how wisely, I will not dispute; but am sure, that it was firmly and bravely; when, instead of baffling the malice of my enemies, as I could easily have done, by that help, I chose to suffer any violence,

<sup>1</sup> Hoc sibi contrariis videbatur Cicero, quod inter xx. viros dividendo agro Campano esse melius. Vell. Pat. 2. 45. Ad Att. 9. 2.

A. Urb. 695. Cic. 49. Com.—L. Calpurnius Piso. A. Gabinia.

rather than to desert your interest, and descend from my rank<sup>1</sup>."

Cæsar continued at Rome, till he saw Cicero driven out of it: but had no sooner laid down his consulship, than he began to be attacked and affronted himself, by two of the new prætors, L. Domitius and C. Memmius; who called in question the validity of his acts, and made several efforts, in the senate, to get them annulled by public authority. But the senate had no stomach to meddle with an affair so delicate; so that the whole ended in some fruitless debates and altercations; and Cæsar, to prevent all attempts of that kind, in his absence, took care always, by force of bribes, to secure the leading magistrates to his interests; and so went off to his province of Gaul<sup>2</sup>. But as this unexpected opposition gave some little ruffle to the triumvirate, so it served them, as an additional excuse for their behaviour towards Cicero; alleging, that their own dangers were nearer to them than other people's, and that they were obliged, for their own security, not to irritate so popular a tribune as Clodius<sup>3</sup>.

As soon as it was known that Cicero was gone, Clodius filled the Forum with his band of slaves and incendiaries, and published a second law, to the Roman people, as he called them, though there was not one honest citizen, or man of credit among them<sup>4</sup>. The law, as we may gather from the scattered passages of it, was conceived in the following terms:

Whereas, M. T. Cicero has put Roman citizens to death, unheard and uncondemned; and for that end forged the authority and decree of the senate: may it please you to ordain, that he be interdicted from fire and water: that nobody presume to harbour or receive him, on pain of death: and that



A. Urb. 695. C. 49. Com.—L. Calpurnius Piso. A. Gabinus.

be the first voter, who, for the want of a lodging, used to all night in the Forum; but it was strange, that when he was driven to the necessity of forging a leader, he should not be able to find a more reputable one.

With this law against Cicero, there was another published at the same time, which, according to the stipulation above mentioned, was to be the pay and price for it; to grant to two consuls the provinces above specified, with a provision that whatever troops and money they thought fit. Both the laws passed without opposition; and Clodius lost no time in putting the first of them in execution; but fell to work, immediately in plundering, burning, and demolishing Cicero's houses, in the city and the country. The best part of his goods were divided between the two consuls; the marble columns of his palatine house were carried publicly to Piso's father-in-law; and the rich furniture of his Tusculan villa, to his neighbor Gabinus; who removed even the trees of his plantations from his own grounds; and, to make the loss of his house in Rome irretrievable, Clodius consecrated the area, on which it stood, to the perpetual service of religion, and built a temple up to the goddess Liberty.

While Cicero's house was in flames, the two consuls, with their seditious crew around them, were publicly feasting and congratulating each other for their victory, and for having revenged the death of their old friends on the head of Cicero. Where, in the gaiety of their hearts, Gabinus openly bragged that he had always been the favourite of Catiline; and that he was cousin to Cethegus. Clodius, in the mean-

A. Urb. 495. Cl. 49. Con.—L. Calpurnius Piso. A. Gallian.

and, then about six years old, with an intent to kill him<sup>1</sup>: but the child was carefully guarded by the friends of the family, and removed from the reach of his malice. Terentia had taken sanctuary in the temple of Vesta, but was dragged out of it forcibly, by his orders, to the public office, or tribunal, where he was sitting, to be examined, about the concealment of her husband's effects: but, being a woman of a singular spirit and resolution, she bore all his insults with a masculine courage<sup>2</sup>.

But while Clodius seemed to aim at nothing, in this affair, but the gratification of his revenge, he was carrying on a private interest, at the same time, which he had much at heart. The house, in which he himself lived, was contiguous to a part of Cicero's ground; which, being now laid open, made that side of the Palatine hill the most airy and desirable situation in Rome: his intention, therefore, was, by the purchase of another house, which stood next to him, to make the whole area his own, with the benefit of the fine portico and temple annexed: so that he had no sooner demolished Cicero's house, than he began to treat with the owner of the next Q. Seius Postumus, a Roman knight, who absolutely refused to sell it, and declared, that Clodius, of all men, should never have it, while he lived: Clodius threatened to obstruct his windows; but finding that neither his threats, nor offers availed any thing, he contrived to get the knight poisoned; and so bought the house, after his death, at the sale of his effects, by outbidding all who offered for it. His next step was to secure the remaining part of Cicero's area, which was not included in the consecration, and was now also exposed, by his direction, to a public auction; but as it was not easy to find any citizen who would bid for it, and he did not care to buy it in his own name, he was forced to provide an obscure, needy fellow, called Seuto, to purchase it for him, and, by that means, became master of the most spacious habitation in all the city<sup>3</sup>.

<sup>1</sup> Vexabatur uxor mea: liberi ad necem querebantur. Pro Sext. 24.

Quid vos uxor mea misera violarat? Quam vexavistis, raptavistis—quid mea filia?—Quid parvus filius?—Quid fecerat, quod eum toties per insidias interficere voluistis?—Pro Dom. 23.

<sup>2</sup> A te quidem omnia fieri fortissime, atque amantissime video: nec miror; nam ad me P. Valerius—ecripit id quod ego maximo cum fletu legi, quemadmodum a Vesta ad tabulam Valeriam ducta esset. Ep. Fam. 14. 2.

<sup>3</sup> Ipse cum loci illius, cum adium cupiditate flagraret. Pro Dom. 41.

Monumentum late, nunquam aut religionem ullam excogitavit: habitare laxè et magnifico voluit: duasque et magnas et nobiles domos conjungere. Eodem puncto temporis quo meus discessus isti causam cædæ eripuit, a Q. Seio contendit, ut domum istam venderet. Cum ille id negaret, primo se luminibus ejus esse obstructurum minabatur. Affirmabat Postumus, se vivo, domum suam istius nunquam futuram. Acutus adolescens ex istius sermone intellexit, quid fieri oporteret. Hominem veneno apertissime intulit. Emisit domum, licitatoribus defatigatis—in Palatio pulcherrimo prospectu porticum cum conclavibus pavimentatam trecentum pedum concupierat; amplissimum

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

This desolation of Cicero's fortunes at home, and the misfortune which he suffered abroad, in being deprived of every thing that was dear to him, soon made him repent of the resolve of his flight; which he ascribes to the envy and treachery of his counsellors, who, taking the advantage of his fears, and perplexity which he was under, pushed him to an act ruinous and inglorious. This he chiefly charges on Lentulus; and though he forbears to name him to Atticus on account of the strict friendship between them, yet he accuses him very freely to his brother, Quintus, of coming every day insidiously to his house, and, with the greatest professional zeal and affection, perpetually insinuating, to his hopes and fears, that, by giving way to the present rage, he could fail of being recalled, with glory, in three days time<sup>1</sup>. Lentulus was particularly intimate, at this time, with Pompey, and might, possibly, be employed to urge Cicero to this, in order to save Pompey the disgrace of being forced to fight against him with a high hand. But let that be as it will, it was Pompey's conduct which shocked Cicero the most; not its being contrary to his oaths, which the ambitious can easily dispense with, but to his interest, which they never neglect but through weakness. The consideration of what was due to Pompey, made him depend on his assistance<sup>2</sup>: he could have guarded against his treachery, but could not suspect of the folly, of giving himself entirely up to Cæsar, who was the principal mover and director of the whole affair.

In this ruffled and querulous state of his mind, stung by the recollection of his own mistakes, and the perfidy of



A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gallienus.

the field; one of whom had an army already in Italy, and the other two could raise one whenever they pleased. What then was it my part to regard the vain brags of an enemy, falsely thrown out against those eminent men? No; it was not by talking, but their silence, which shocked me; and, though they had other reasons for holding their tongues, yet, to one in such circumstances, their saying nothing was a declaration; their silence a confession: they had cause, indeed, to be alarmed on their own account, lest their acts, of the year before, should be annulled by the prætors and the senate—many people, also, were instilling jealousies of me into Pompey, and perpetually admonishing him to beware of me; and as for Cæsar, whom some imagined to be angry with me, he was at the gates of the city with an army, the command of which he had given to Appius, my enemy's brother. When I saw all this, which was open and manifest to every body; what could I do? When Clodius declared, in a public speech, that I must either conquer twice or perish: so that neither my victory, nor my fall, would have restored the peace of the Republic<sup>1</sup>."

Clodius, having satiated his revenge upon Cicero, proposed another law, not less violent and unjust, against Ptolemy, king of Cyprus; to deprive him of his kingdom, and reduce it to a Roman province, and confiscate the whole estate. This prince was brother to the king of Egypt, and reigning by the same right of hereditary succession; in full peace and amity with Rome; accused of no practices, nor suspected of any designs against the Republic; whose only crime was to be rich and covetous; so that the law was an unparalleled act of injustice, and what Cicero, in a public speech, did not scruple to call a mere robbery<sup>2</sup>. But Clodius had an

A. F. 683. Oc. 49. Cœs.—L. Calpurnius Plab. A. Gellius.

view of justice, Cato was charged with the execution of it: which gave Clodius a double pleasure, by imposing so shameful a task upon the gravest man in Rome. It was a part, likewise of the same law, as well as of Cato's commission, to drive certain exiles of Byzantium, whom their city had driven out, for crimes against the public peace<sup>1</sup>. The engaging Cato, in such dirty work, was a master-piece, and served many purposes of great use to Clodius: first, to get rid of a troublesome adversary, for the remainder of his magistracy; secondly, to fix a blot on Cato himself, and show, that the most rigid pretenders to virtue might be caught by a proper bait: thirdly, to stop his mouth, for the future, as he openly bragged, from clamouring against extraordinary commissions: fourthly, to oblige him, above all, to acknowledge the validity of his acts, by his submitting to bear a part in them<sup>2</sup>. The tribune had the satisfaction to see Cato taken in his trap; and received a congratulatory letter upon it from Cœsar, addressed to him in the familiar style, of Cœsar to Clodius; which he read publicly to the people, as a proof of the singular intimacy between them<sup>3</sup>. King Ptolemy, in the meanwhile, as soon as he heard of the law, and of Cato's approach towards Cyprus, put an end to his life by poison; unable to bear the disgrace of losing, at once, both his crown and his wealth. Cato executed his commission with great fidelity: and returned, the year following, in a kind of triumph to Rome, with all the king's effects reduced into money, amounting to about a million and half sterling; which he delivered, with great pomp, into the public treasury<sup>4</sup>.

This proceeding was severely condemned by Cicero; though he touches it in his public speeches with some tenderness, for the sake of Cato; whom he labours to clear from any share of the iniquity: "The commission," says he, "was contrived, not to adorn, but to banish Cato; not offered, but imposed upon

<sup>1</sup> *Hujus pecunias deportande, et, si quis suum jus defenderet, bello gerendo Catonem perficere.* Pro Dom. 8.

<sup>2</sup> *At etiam eo negotio M. Catonis splendorem maculare voluerunt.* Pro Sext. 28.

<sup>3</sup> *Te una lego tulisti, ut Cyprius Rex—cum bonis omnibus sub præcone subiceretur, et exules Byzantium reducerentur. Eidem, inquit, utraque de re negotium dedi.* Pro Dom. 20.

<sup>4</sup> *Sed honorificentissimo ministerii titulo M. Catonem a Rep. relegavit.* [Vell. Pat. 2. 45.] *Non illi ornandum M. Catonem, sed relegandum putaverunt: qui in concione palam dixerint, linguam se evellisse Catoni, qui semper contra extraordinarias potestates libera fulset. Quod si ille repudiasset, dubitatis quin ei vis esset allata, cum omnia acta illius anni per illum unum labefactari viderentur?* Pro Sext. 28, 29.

*Gratulari tibi, quod idem in posterum M. Catonem, tribunatu tuo removisses.* Pro Dom. 49.

<sup>5</sup> *Litteras in concione recitasti, quas tibi a C. Cæsare missas esse diceres. Cæsare Perlenico. Cum etiam ea argumentatus, amoris esse hoc signum, cum nominibus tantum uteretur.* Ibid.

<sup>6</sup> *Plut.—Cato, Flor. 3. 9.*

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Pison. A. Gabinium.

him. Why did he then obey it; just as he had sworn to obey other laws, which he knew to be unjust, that he might not expose himself to the fury of his enemies, and, without doing any good, deprive the Republic of such a citizen. If he had not submitted to the law, he could not have hindered it; the stain of it would still have stuck upon the Republic, and he himself suffered violence for rejecting it; since it would have been a precedent for invalidating all the other acts of that year: he considered, therefore, that since the scandal of it could not be avoided, he was the person best qualified to draw good out of evil, and to serve his country well, though in a bad cause<sup>1</sup>." But howsoever this may colour, it cannot justify Cato's conduct, who valued himself highly upon his Cyprian transactions; and, for the sake of that commission, was drawn in, as Clodius expected, to support the authority from which it flowed, and to maintain the legality of Clodius's tribunate, in some warm debates even with Cicero himself<sup>2</sup>.

Among the other laws made by Clodius, there was one, likewise, to give relief to the private members of corporate towns, against the public injuries of their communities. The purpose of it was specious, but the real design, to screen a creature of his own, one Merula, of Anagnia, who had been punished, or driven from his city, for some notorious villanies, and who, in return for this service, erected a statue to his patron, on part of the area of Cicero's house, and inscribed it to Clodius, the author of so excellent a law. But as Cicero told him, afterwards, in one of his speeches, the place itself where the statue stood, the scene of so memorable an injury, confuted both the excellency of the law and the inscription<sup>3</sup>.

But it is time for us to look after Cicero in his flight; who left Rome about the end of March, for, on the night of

A. Urb. 695. Cic. 49. Cons.—I. Calpurnius Piso. A. Gabinus.

was a cruel shock to him, and the first taste of the misery of disgrace; that an old friend, who had been highly obliged to him<sup>1</sup>, of the same party and principles, should refuse him shelter in a calamity, which he had drawn upon himself by his services to the Republic; speaking of it afterwards, when it was not his business to treat it severely, "See," says he, "the horror of these times; when all Sicily was coming out to meet me, the prætor, who had often felt the rage of the same tribune, and in the same cause, would not suffer me to come into the island. What shall I say? That Virgilius, such a citizen, and such a man, had lost all benevolence, all remembrance of our common sufferings, all his piety, humanity, and faith towards me? No such thing: he was afraid, how he should singly sustain the weight of that storm, which had overpowered our joint forces<sup>2</sup>."

This unexpected repulse from Sicily obliged him to change his route, and turn back again towards Brundisium, in order to pass into Greece: he left Vibo, therefore, that he might not expose his host Sica to any danger, for entertaining him; expecting to find no quiet, till he could remove himself beyond the bounds prescribed by the law. But in this he found himself mistaken; for all the towns on his road received him with the most public marks of respect; inviting him to take up his quarters with them, and guarding him, as he passed through their territories, with all imaginable honour and safety to his person. He avoided, however, as much as possible, all public places; and when he came to Brundisium, would not enter into the city, though it expressed the warmest zeal for his service, and offered to run all hazards in his defence<sup>3</sup>.

In this interval, he was pressing Atticus in every letter, and in the most moving terms, to come to him; and, when he removed from Vibo, gave him daily intelligence of all his stages, that he might know still where to find him; taking it for granted, that he would not fail to follow him<sup>4</sup>. But Atticus seems to

<sup>1</sup> Plut. in Cic.

<sup>2</sup> Siciliam petivi animo, quæ et ipsa erat mihi, sicut domus una, conjuncta; et obtinebatur a Virgilio: quocum me uno vel maxime tum vetusta amicitia, tum mei fratris collegia, tum Respub. sociarat. Vide nunc caliginem temporum illorum. Cum ipsa pene insula mihi sese obviam ferre vellet, prætor ille ejusdem tribuni pleb. concionibus propter eandem Reipub. causam sæpe vexatus, nihil amplius dico, nisi me in Siciliam venire noluit, &c. Pro Cn. Planc. 40.

<sup>3</sup> Cum omnia illa Municipia, quæ sunt a Vibone Brundisium, in fide mea essent, iter mihi tutum, multis minitantibus, magno cum suo metu præstiterunt. Brundisium veni, vel potius ad mœnia accessi. Urbem unam mihi amicissimam declinavi, quæ se vel potius excindi, quam e suo complexu ut eriperer facile pateretur. Ibid. 41.

<sup>4</sup> Sed te oro, ut ad me Vibonem statim venias.—Si id non feceris mirabor, sed confido te esse facturum. Ad Att. 3. 1.

Nunc, ut ad te antea scripsi, si ad nos veneris, consilium totius rei capiemus. Ibid. 2.

Iter Brundisium versus contuli—nunc tu propera, ut nos consequare, si modo recipiemur. Adhuc invitamur benigne. Ibid. 3.

Nihil mihi optatius cadere posse, quam ut tu me quam primum consequare. Ibid. 4.

A. Urb. 695. Ckr. 49. Com.—L. Calpurnius Piso. A. Gabinus.

have given him no answer on this head, nor to have had any thoughts of stirring from Rome: he was persuaded, perhaps, that his company abroad could be of no other use to him, than to give some little relief to his present chagrin; whereas his continuance in the city might be of the greatest; not only in relieving, but removing his calamity, and procuring his restoration: or, we may imagine, what his character seems to suggest, that though he had a greater love for Cicero, than for any man, yet it was always with an exception, of not involving himself in the distress of his friend, or disturbing the tranquillity of his life, by taking any share of another's misery; and that he was following only the dictates of his temper and principles, in sparing himself a trouble, which would have made him suffer more than his philosophy could easily bear. But, whatever was the cause, it gave a fresh mortification to Cicero; who, in a letter upon it, says, "I made no doubt but that I should see you at Tarentum or Brundisium: it would have been convenient for many reasons, and, above all, for my design of spending some time with you in Epirus, and regulating all my measures by your advice: but since it has not happened, as I wished, I shall add this also to the great number of my other afflictions<sup>1</sup>." He was now lodged in the villa of M. Lenius Flaccus, not far from the walls of Brundisium, where he arrived on the 17th of April, and on the last of the same month embarked for Dyrrhachium. In his account of himself to his wife, "I spent thirteen days," says he, "with Flaccus, who, for my sake, slighted the risk of his fortunes

A. U. C. 685. C. c. 49. Cons.—L. Calpurnius Piso. A. Gabinius.

dropped all thoughts of that, and was inclined to go to Athens: till he was informed, that it would be dangerous for him to travel into that part of Greece; where all those, who had been banished for Catiline's conspiracy, and especially Antonius, then resided; who would have had some comfort, in their exile, to revenge themselves on the author of their misery, if they could have caught him<sup>1</sup>.

Plutarch tells us, that, in sailing out of Brundisium, the wind, which was fair, changed of a sudden, and drove him back again; and when he passed over to Dyrrhachium, in the second attempt, that there happened an earthquake, and a great storm immediately after his landing; from which, the soothsayers foretold, that his stay abroad would not be long. But it is strange, that a writer, so fond of prodigies, which nobody else takes notice of, should omit the story of Cicero's dream, which was more to his purpose, and is related by Cicero himself; that, in one of the stages of his flight, being lodged in the villa of a friend, after he had lain restless and wakeful a great part of the night, he fell into a sound sleep, near break of day, and when he awaked, about eight in the morning, told his dream to those round him: that, as he seemed to be wandering, disconsolate, in a lonely place, C. Marius, with his fasces wreathed with laurel, accosted him, and demanded, why he was so melancholy; and when he answered, that he was driven out of his country, by violence, Marius took him by the hand, and bidding him be of courage, ordered the next lictor to conduct him into his monument; telling him, that there he should find safety: upon this, the company presently cried out, that he would have a quick and glorious return<sup>2</sup>. All which was exactly fulfilled; for his restoration was decreed in a certain temple, built by Marius, and, for that reason, called Marius's monument; where the senate happened to be assembled on that occasion<sup>3</sup>.

This dream was much talked of in the family, and Cicero himself, in that season of his dejection, seemed to be pleased with it; and on the first news, of the decree's passing in Marius's monument, declared that nothing could be more divine: yet, in disputing afterwards on the nature of dreams, he asserts them all to be vain and fantastical, and nothing else

<sup>1</sup> Quod me rogas et hortaris, ut apud te in Epiro sim; voluntas tua mihi valde grata est.—Sed itineris causa ut diverterem, primum est devium; deinde ab Antonio et ceteris quatrídui; deinde sine te. Nam castellum munitum habitanti mihi prodesset, transeunti non est necessarium. Quod si auderem, Athenas peterem: sane ita cadebat ut vellem. Nunc et nostri hostes ibi sunt, et te non habemus. Ad Att. 3. 7.

<sup>2</sup> De Divin. 1. 28. Val. Max. 1. 7.

<sup>3</sup> Viderius Maximus calls this monument of Marius, the temple of Jupiter; but it appears, from Cicero's account, to have been the temple of Honour and Virtue.

A. Urb. 695. Cic. 49. Com.—L. Calpurnius Piso. A. Gabinius.

but the imperfect traces, and confused impressions, which waking thoughts leave upon the mind; that, in his flight, therefore, as it was natural for him to think much upon his countryman Marius, who had suffered the same calamity, that was the cause of his dreaming of him; and that no woman could be so silly, as to give any credit to dreams, in the infinite number and variety of them, they did not sometimes happen to hit right<sup>1</sup>.

When he came to Dyrrhachium, he found confirmed, what he had heard before in Italy, that Achain, and the neighbouring parts of Greece, were possessed by those rebels, who had been driven from Rome on Catiline's account. This determined him to go into Macedonia, before they could be informed of his arrival, where his friend, Cn. Plancius was then quæstor, who no sooner heard of his landing, than he came to find him at Dyrrhachium; where out of regard to his present circumstances, and the privacy which he affected, dismissing his officers, and laying aside all the pomp of magistracy, he conducted him, with the observance of a private companion, to his head-quarters at Thessalonica, about the 21st of May: L. Appuleius was the prætor, or chief governor of the province: but though he was an honest man, and Cicero's friend; yet he durst not venture to grant him his protection, or shew him any public civility, but contented himself with conniving only at what his quæstor Plancius did<sup>2</sup>.

While Cicero staid at Dyrrhachium, he received two expresses from his brother Quintus, who was now coming home from Asia, to inform him of his intended route, and to settle the place of their meeting: Quintus's design was, to pass from Ephesus to Athens, and thence, by land, through Macedonia;

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

though to see him; being unable to bear the tenderness of a meeting, and much more, the misery of parting; and was apprehensive, besides, that if they once met, they could not be able to part at all, whilst Quintus's presence was necessary to their common interests: so that, to avoid one affliction, he was forced, he says, to endure another most cruel one, that of shunning the embraces of a father!

L. Tubero, however, his kinsman, and one of his brother's adherents, paid him a visit, on his return towards Italy, and acquainted him with what he had learnt in passing through Greece, that the banished conspirators, who resided there, were actually forming a plot to seize and murder him; for which reason he advised him to go into Asia; where the zeal and affection of the province would afford him the safest retreat, both on his own and his brother's account<sup>1</sup>. Cicero was disposed to follow this advice, and leave Macedonia; for the Prætor Appuleius, though a friend, gave him no encouragement to stay; and the consul Piso, his enemy, was coming to the command of it the next winter: but all his friends at Rome dissuaded his removal to any place more distant from them; and Plancius treated him so affectionately, and contrived to make all things so easy to him, that he dropped the thoughts of changing his quarters. Plancius was in hopes that Cicero would be recalled with the expiration of his quæstorship, and that he should have the honour of returning with him to Rome, to reap the fruit of his fidelity, not only from Cicero's gratitude, but the favour of the senate and the people<sup>2</sup>. The only inconvenience that Cicero found, in his present situation, was the number of soldiers and concourse of people, who frequented the place, on account of business with the quæstor: for he was so shocked and dejected by his misfortune, that, though the cities of Greece were offering their services and

<sup>1</sup> Quintus Frater cum ex Asia venisset ante Kalend. Mai. et Athenas venisse Idib. valde fuit ei properandum, ne quid absens acciperet calamitatis, siquis forte fuisset, qui contentus nostris malis non esset. Itaque cum malui properare Romanam, quam ad me venire: et simul, dicam enim quod verum est,—animum inducere non potui, ut aut illum amantissimum mei, mollissimo animo tanto in errore aspicerem—atque etiam illud timebam, quod profecto accidisset, ne a me digredi non posset.—Hujus acerbitalis eventum altera acerbitate non videndi fratris vitavi. Ad Att. 3. 9. Ad Quint. Fra. 1. 3.

<sup>2</sup> Cum ad me L. Tubero, meus necessarius, qui Fratri meo legatus fuisset, decedens ex Asia venisset, easque insidias, quas mihi paratas ab exulibus conjuratis audierat, animo amicissimo detulisset. In Asiam me ire, propter ejus provincie mecum et cum fratre meo necessitudinem. Pro Plane. 41.

<sup>3</sup> Plancius, homo officiosissimus, me cupit esse secum et adhuc retinet—sperat posse fieri, ut mecum in Italiam decedat. Ep. Fam. 14. 1.

Longius, quam ita vobis placet, non discedam. Ibid. 2.

Me adhuc Plancius liberalitate sua retinet—spes homini est injecta, non eadem, quæ mihi, postea nos una decedere: quam rem sibi magno honori sperat fore. Ad Att. 3. 22.

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinius.

compliments, and striving to do him all imaginable honours; yet he refused to see all company, and was so shy of the public that he could hardly endure the light<sup>1</sup>.

For it cannot be denied, that, in this calamity of his, he did not behave himself with that firmness, which might reasonably be expected from one, who had borne so great a part in the Republic; conscious of his integrity, and suffering in the cause of his country: for his letters are generally filled with such lamentable expressions of grief and despair, that his best friends, and even his wife was forced to admonish him sometimes, to rouse his courage<sup>2</sup>, and remember his former character. Atticus was constantly putting him in mind of his duty, and sent him word of a report, that was brought to Rome by one of Crassus's freed-men, that his affliction had disordered his senses: to which he answered; that his mind was still sound, and wished only, that it had been always so, when he placed his confidence on those, who perfidiously abused it to his ruin<sup>3</sup>.

But these remonstrances did not please him; he thought them unkind and unseasonable, as he intimates in several of his letters, where he expresses himself very movingly on the subject. "As to your chiding me," says he, "so often and so severely, for being too much dejected; what misery is that I pray you, so grievous, which I do not feel in my present calamity? Did any man ever fall from such a height of dignity, in so good a cause, with the advantage of such talents, experience, interest; such support of all honest men? Is it



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curious friends. This he frequently touches upon in a story which shews that it galled him very severely: "Though grief," says he, "is incredible, yet I am not disturbed so much by the misery of what I feel, as the recollection of my folly. Wherefore, when you hear how much I am afflicted, imagine that I am suffering the punishment of my folly, not of fortune, for having trusted too much to one, whom I did not think to be a rascal." It must needs be cruelly mortifying to one of his temper, nicely tender of his reputation, and passionately fond of glory, to impute his calamity to his own blunders, and fancy himself the dupe of men not so wise as himself: yet after all, it may reasonably be questioned, whether his inquietude of this sort, was not owing rather to the jealous and querulous nature of affliction itself, than to any real foundation of truth, for Atticus would never allow his suspicions to be just, not even against Hortensius, where they seemed to lie the heaviest. This is the substance of what Cicero himself says, to excuse the excess of his grief: and the only excuse, indeed, which can be made for him: that he did not pretend to be a stoic, nor aspire to the character of a hero: yet we see some writers labouring to defend him, even against himself; and endeavouring to persuade us, that all this air of dejection and despair was wholly feigned and assumed, for the sake of moving compassion, and engaging his friends to exert themselves the more warmly, in soliciting his restoration; lest his affliction should destroy him, before they could effect it.

When he had been gone a little more than two months, his friend Ninnius, the tribune, made a motion, in the senate, to recall him, and repeal the law of Clodius: to which the whole house readily agreed with eight of the tribunes, till one

A. C. 655. Cic. 49. Cons.—L. Calpurnius P. A. C. 655.

who left Asia on the first of May, arrived at Rome. He was received with great demonstrations of respect by all ranks, who flocked out to meet him. Clodius, however, had an additional anxiety on his account, lest the Curians, by means of the impeachment, which they were about to bring against him, should be able to expel him too: especially, since C. Appian, Appius, was the prætor, whose lot it was to preside at the trials. But Clodius was now losing ground, and was grown so insolent, on his late success, that the Curians could not bear him any longer: for having first expelled Appian, and sent Cato out of his way, he began to look upon himself as a match for Pompey: by whose help, or rather by his aid, he had acquired all his power; and, in open violation of the laws, seized by stratagem, into his hands, the person of Tigranes, whom Pompey had brought with him from the east, and kept a prisoner at Rome, in the custody of Julius Cæsar, prætor; and, instead of delivering him up, when Pompey demanded him, undertook, for a large sum of money, to give him his liberty, and send him home. This could not pass without a sharp engagement between the two armies, who marched out of Rome, with a host of men, to attempt to recover Tigranes by force: but Clodius, being overpowered by Pompey, and killed a great part of his troops, among them Papirius, a Roman knight of Pompey's household, and himself, while Flavius also, himself, was wounded, and taken with life.

This affront roused Pompey, as well to correct the arrogance of Cato's credit, and ingratiate himself with the people, as to drop some hints of his intention to retire, particularly to Atticus, who had been the most agreeable news: upon which Cato, perceiving of Pompey's sincerity, was so much affected, that he sent a copy of his letter to Atticus, and at the same time, that if Pompey should

**Pr. Sect. 31.**

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Dr. G. J. F. ...

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**Chester** — **Chesapeake Bay**

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

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...the fact that the ...

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A. Urb. 693. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

ceived, in the case of Tigranes, he should despair of his being moved by any thing'. Varro, likewise, who had a particular intimacy with Pompey, desired Atticus to let Cicero know that Pompey would certainly enter into his cause, as soon as he heard from Cæsar, which he expected to do every day. This intelligence, from so good an author, raised Cæsar's hopes, till, finding no effects of it for a considerable time, he began to apprehend, that there either was nothing at all in it, or that Cæsar's answer was averse, and had put an end to the matter. The fact, however, shews, what an extraordinary deference Pompey paid to Cæsar, that he would not take a step in any affair, at Rome, without sending first to Gaul, to consult about it.

The city was alarmed, at the same time, by the rumour of a second plot against Pompey's life, said to be contrived by Clodius, one of whose slaves was seized at the door of the senate, with a dagger, which his master had given him, and confessed, to stab Pompey: which, being accompanied by many daring attacks on Pompey's person, by Clodius's party, made him resolve to retire from the senate and the Forum. Clodius was out of his tribunate, and shut himself up in his own house, whither he was still pursued, and actually beaten by one of Clodius's freedmen, Damio. An outrage so audacious could not be overlooked by the magistrates, who came with all their forces, to seize or drive away Damio; upon which a general engagement ensued, where Gabinus, as Cicero says, was forced to break his league with Clodius, and fight against Pompey; at first faintly and unwillingly, but, at last, heartily.

A. Urb. 686. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

Whether any design was really formed against Pompey's return, or the story was contrived to serve his present views, it was probable, at least, that his fears were feigned, and the danger too contemptible, to give him any just apprehension; but the shutting himself up, at home, made an impression upon the vulgar, and furnished a better pretence for turning so quick upon Clodius, and quelling that insolence which he himself had raised; for this was the constant tenor of his politics, to give a free course to the public disorders, for the sake of displaying his own importance to more advantage; that, when the storm was at the height, he might appear at last, in the scene, like a deity of the theatre, and reduce all again to order; expecting still, that the people, tired and harassed by these perpetual tumults, would be forced to create him dictator, for settling the quiet of the city.

The consuls elect were, P. Cornelius Lentulus, and Q. Metellus Nepos: the first was Cicero's warm friend, the second his old enemy; the same, who put that affront upon him in laying down his consulship: his promotion, therefore, was a great discouragement to Cicero, who took it for granted, that he would employ all his power to obstruct his return; and reflected, as he tells us, that, though it was a great thing to drive him out, yet, as there were many who hated, and more who envied him, it would not be difficult to keep him out<sup>1</sup>. But Metellus, perceiving which way Pompey's inclination, and Caesar's also, was turning, found reason to change his mind, or, at least, to dissemble it: and promised, not only to give his consent, but his assistance, to Cicero's restoration. His colleague, Lentulus, in the meanwhile, was no sooner elected, than he revived the late motion of Ninnius, and proposed a vote to recal Cicero; and when Clodius interrupted him, and recited that part of his law, which made it criminal to move any thing about it, Lentulus declared it to be no law, but a mere proscription and act of violence<sup>2</sup>. This alarmed Clodius, and obliged him to exert all his arts, to support the validity of the law: he threatened ruin and destruction to all who should dare to oppose it; and, to imprint the greater terror, fixed upon the doors of the senate-house, that clause which prohibited all men to speak or act in any manner for Cicero's return, on pain of being treated as enemies. This gave a further disquiet to Cicero, lest it should dishearten his active friends, and furnish an excuse to the indolent, for doing nothing: he insinuates,

<sup>1</sup> Inimici sunt multi, invidi pene omnes. Ejicere nos magnum fuit, excludere facile est. Ep. Fam. 14. 3.

<sup>2</sup> Cum a tribuno pleb. vetaretur, cum proclaram caput recitaretur, ne quis ad eos referret—totam illam, ut ante dixi, proscriptionem, non legem putavit. Post recit. in Sen. 4.

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinius.

therefore, to Atticus, what might be said to obviate it; that such clauses were only bugbears, without any real force; or otherwise, no law could ever be abrogated; and whatever effect this was intended to have, that it must needs fall, of course, with the law itself<sup>1</sup>.

In this anxious state of his mind, jealous of every thing that could hurt, and catching at every thing that could help him, another little incident happened, which gave him a fresh cause of uneasiness: for some of his enemies had published an invective oration, drawn up by him, for the entertainment only of his intimate friends, against some eminent senator, not named, but generally supposed to be Curio, the father, who was now disposed and engaged to serve him: he was surprised and concerned, that the oration was made public; and his instructions upon it, to Atticus, are somewhat curious, and shew how much he was struck with the apprehension of losing so powerful a friend. "You have stunned me," says he, "with the news of the oration's being published: heal the wound, as you promise, if you possibly can: I wrote it long ago in anger, after he had first written against me; but had suppressed it so carefully, that I never dreamt of its getting abroad, nor can imagine how it slipped out: but since, as fortune would have it, I never had a word with him in person, and it is written more negligently than my other orations usually are, I cannot but think that you may disown it, and prove it not to be mine: pray take care of this, if you see any hopes for me; if not, there is the less reason to trouble myself about it<sup>2</sup>."

His principal agents and solicitors at Rome were his brother Quintus, his wife Terentia, his son-in-law Piso, Atticus, and Sextius. But the brother and the wife, being both of them

A. U. C. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

the affair; and, instead of being daunted by the depression of the family, and the ruin of their fortunes, seems to have been animated rather the more to withstand the violences of their enemies, and procure her husband's restoration. But one of Cicero's letters to her, in these unhappy circumstances, will give the clearest view of her character, and the spirit with which she acted.

“CICERO TO TERENCEIA.

“Do not imagine that I write longer letters to any one than to you, unless it be when I receive a long one from somebody else, which I find myself obliged to answer. For I have nothing either to write, nor, in my present situation, employ myself on any thing that is more troublesome to me; and when it is to you and our dear Tulliola, I cannot write without a flood of tears. For I see you the most wretched of women, whom I wished always to see the happiest, and ought to have made so; as I should have done, if I had not been so great a coward. I am extremely sensible of Piso's services to us; have exhorted him, as well as I could, and thanked him as I ought. Your hopes, I perceive, are in the new tribunes; that will be effectual, if Pompey concur with them: but I am afraid still of Crassus. You do every thing for me, I see, with the utmost courage and affection: nor do I wonder at it; but lament our unhappy fate, that my miseries can only be relieved by your suffering still greater: for our good friend, P. Valerius, wrote me word, what I could not read without bursting into tears, how you were dragged from the temple of Vesta to the Valerian bank. Alas, my light, my darling, to whom all the world used to sue for help! that you, my dear Terentia, should be thus insulted; thus oppressed with grief and distress! and that I should be the cause of it; I, who have preserved so many others, that we ourselves should be undone! As to what you write about the house, that is, about the area; I shall then take myself to be restored, when that shall be restored to us. But those things are not in our power. What affects me more nearly is, that when so great an expense is necessary, it should all lie upon you, who are so miserably stripped and plundered already. If we live to see an end of these troubles, we shall repair all the rest. But if the same fortune must ever depress us, will you throw away the poor remains that are left for your subsistence? For God's sake, my dear life, let others supply the money who are able, if they are willing: and if you love me, do nothing that can hurt your health, which is already so impaired: for you are perpetually in my thoughts, both day and night. I see that you decline no sort of trouble; but am

A. Urb. 695. Cic. 49. Cons. — L. Calpurnius Piso. A. Gabinia.

afraid how you will sustain it. Yet the whole affair depends on you. Pay the first regard, therefore, to your health, that we may attain the end of all your wishes and your labours. I know not whom to write to, except to those who write to me, or of whom you send me some good account. I will not remove to a greater distance, since you are against it; but would have you write to me as often as possible, especially if you have any hopes that are well-grounded. Adieu, my dear love, adieu.—The 5th of October, from Thessalonica."

Terentia had a particular estate of her own, not obnoxious to Clodius's law, which she was now offering to sale, for the supply of their present necessities: this is what Cicero refers to, where he intreats her not to throw away the small remains of her fortunes; which he presses still more warmly in another letter, putting her in mind, that if their friends did not fail in their duty, she could not want money; and if they did, that her own would do but little towards making them easy: he implores her, therefore, not to ruin the boy, who, if there was any thing left to keep him from want, would with a moderate share of virtue and good fortune, easily recover the rest<sup>1</sup>. The son-in-law, Piso, was extremely affectionate and dutiful in performing all good offices, both to his banished father and the family; and resigned the quæstorship of Pontus and Bithynia, on purpose to serve them the more effectually by his presence in Rome: Cicero makes frequent acknowledgment of his kindness and generosity: "Piso's humanity, virtue, and love for us all is so great," says he, "that nothing can exceed it: the gods grant that it may one day be a pleasure; I am sure it will always be an honour to him<sup>2</sup>."

Atticus likewise supplied them liberally with money: he

A. Urb. 695. Cic. 49. Com.—L. Calpurnius Piso. A. Gabinius.

Cicero, who thought him too cold and remiss in his behaviour: and fancied, that it flowed from some secret resentment, for having never received from him, in his flourishing condition, any beneficial proofs of his friendship: in order therefore to rouse his zeal, he took occasion to promise him, in one of his letters, that, whatever reason he had to complain of that score, it should all be made up to him, if he lived to return: "If fortune," says he, "ever restore me to my country, it shall be my special care, that you, above all my friends, may cause to rejoice at it: and though, hitherto, I confess you have reaped but little benefit from my kindness, I will manage for the future, that, whenever I am restored, you shall find yourself as dear to me, as my brother and my children: if I have been wanting, therefore, in my duty to you, or rather, as I have been wanting, pray pardon me; for I have been much more wanting to myself<sup>1</sup>." But Atticus begged of him to lay aside all such fancies, and assured him, that there was not the least ground for them; and that he had never been disgusted by any thing, which he had either done, or neglected to do, for him; entreating him to be perfectly easy on that head, and to depend always on his best services, without giving himself the trouble, even of reminding him<sup>2</sup>. Yet, after all, the suspicion itself, as it comes from one who knew Atticus so perfectly, seems to leave some little blot upon his character: but, whatever cause there might be for it, it is certain, that Cicero, at least, was as good as his word, and by the care which he took, after his return, to celebrate Atticus's name in all his writings, has left the most illustrious testimony to posterity of his sincere esteem and affection for him.

Sextius was one of the tribunes elect: and, being entirely devoted to Cicero, took the trouble of a journey into Gaul, to solicit Cæsar's consent to his restoration; which, though he obtained, as well by his own intercession, as by Pompey's

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mise of making him his heir, yet left the bulk of his estate to Atticus, who had been very observant of his humour: for which fraud, added to his notorious avarice and extortion, the mob seized his dead body, and dragged it infamously about the streets. Val. Max. 7. 8. Cicero, congratulating Atticus upon his adoption, addresses his letter to Q. Cæcilius, Q. F. Pomponianus, Atticus. For, in assuming the name of the adopter, it was usual to add also their own family name, though changed in its termination, from Pomponius to Pomponianus, to preserve the memory of their real extraction: to which some added, also, the surname, as Cicero does in the present case. Ad Att. 3. 20.

<sup>1</sup> Ego, si me aliquando vestri et patriæ compotem fortuna fecerit, certe efficiam, ut maxime letere unus ex omnibus amicis; meaque officia ac studia, quæ parum antea luxerunt (fatendum est enim) sic exequar, ut me æque tibi ac fratri et liberis nostris restitutum putes. Si quid in te peccavi, ac potius quoniam peccavi, ignosce: in me enim ipsum peccavi vehementius. Ibid. 15.

<sup>2</sup> Quod me vetas quicquam suspicari accidisse ad animum tuum, quod secus a me erga te commissum, aut pretermisum videretur, geram tibi morem et liberabor ista cura. Tibi tamen eo plus debeo, quo tua in me humanitas fuerit excelsior, quam in te mea. Ibid. 20.

A. Urb. 695. Cic. 49. Coss.—1. Calpurnius Piso. A. Gabinus.

letters, yet it seems to have been with certain limitations, not agreeable to Cicero; for, on Sextius's return to Rome when he drew up the copy of a law, which he intended to propose, upon his entrance into office; conformable, as we may imagine, to the conditions stipulated with Cæsar; Cicero greatly disliked it; as being too general, and without the mention even of his name, nor providing sufficiently either for his dignity, or the restitution of his estate; so that he desires Atticus to take care to get it amended by Sextius<sup>1</sup>.

The old tribunes in the meanwhile, eight of whom were Cicero's friends, resolved to make one effort more, to obtain a law in his favour, which they jointly offered to the people, on the twenty-eighth of October: but Cicero was much more displeased with this, than with Sextius's: it consisted of three articles; the first of which restored him only to his former rank, but not to his estate; the second was only matter of form, to indemnify the proposers of it: the third enacted, that if there was any thing in it, which was prohibited to be promulgated by any former law, particularly by that of Clodius, or which involved the author of such promulgation in any fine or penalty, that, in such case, it should have no effect. Cicero was surprised, that his friends could be induced to propose such an act, which seemed to be against him, and to confirm that clause of the Clodian law, which made it penal to move any thing for him: whereas, no clauses of that kind had ever been regarded, or thought to have any special force, but fell of course, when the laws themselves were repealed: he observes,

A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

to Clodius's law, the validity of which was acknowledged by Cato, and several others of the principal citizens<sup>1</sup>; and they were induced to make this push for it, before they quitted their office, from a persuasion, that if Cicero was once restored, on any terms, or with what restrictions soever, the rest would follow of course; and that the recovery of his dignity would necessarily draw after it every thing else that was wanted: Cicero seems to have been sensible of it himself on second thoughts, as he intimates, in the conclusion of his letter. "I should be sorry," says he, "to have the new tribunes insert such a clause in their law; yet, let them insert what they please, if it will but pass and call me home, I shall be content with it<sup>2</sup>." But the only project of a law which he approved, was drawn by his cousin, C. Visellius Aculeo, an eminent lawyer of that age, for another of the new tribunes, T. Fadius, who had been his quæstor, when he was consul: he advised his friends, therefore, if there was any prospect of success, to push forward that law, which entirely pleased him<sup>3</sup>.

In this suspense of his affairs at Rome, the troops, which Piso had provided for his government of Macedonia, began to arrive in great numbers at Thessalonica<sup>4</sup>: this greatly alarmed him, and made him resolve to quit the place without delay: and, as it was not advisable to move farther from Italy, he ventured to come still nearer, and turned back again to Dyrrhachium: for though this was within the distance forbidden to him by law, yet he had no reason to apprehend any danger, in a town particularly devoted to him, and which had always been under his special patronage and protection. He came thither on the twenty-fifth of November, and gave notice of his removal to his friends at Rome, by letters of the same date, begun at Thessalonica and finished at Dyrrhachium<sup>5</sup>: which shews the great haste, which he thought necessary, in making this sudden change of his quarters. Here he received another piece of news, which displeased him; that, with the consent and assistance of his managers at Rome, the provinces of the consuls elect had been furnished with money and troops by a decree of

<sup>1</sup> Video enim quosdam clarissimos viros, aliquot locis judicasse, te cum plebe jure agere potuisse. Pro Dom. 16.

<sup>2</sup> Id caput mæne nolum novos tribunos pleb. ferro: sed perferant modo quidlibet: uno capite quo revocabor, modo res conficiatur, ero contentus. Ad Att. 3. 23.

<sup>3</sup> Sed si est aliquid in spe, vide legem, quam T. Fadio scripsit Visellius: ea mihi perplacet. Ibid.

<sup>4</sup> Me adhuc Plancius retinet. Sed jam cum adventare milites dicerentur, faciendum nobis erit, ut ab eo discedamus. Ibid. 22.

<sup>5</sup> Dyrrhachium veni quod et libera civitas est, et in me officiosa. Ep. Fam. 14. 1. Nam ego eo nomine sum Dyrrhachii, ut quam celerrime quid agatur, audiam, et sum tuto. Civitas enim hæc semper a me defensa est. Ibid. 3.

Quod mei studiosos habeo Dyrrhachinos, ad eos perrexi, cum illa superiora Thessalonice scripsissem. Ad Att. 3. 22. Ep. Fam. 14. 1.

A. Urb. 695. Cic. 49. Com.—L. Calpurnius Piso. A. Gabinus.

the senate: but, in what manner it affected him, and what reason he had to be uneasy at it, will be explained by his own letter upon it to Atticus.

“When you first sent me word,” says he, “that the consular provinces had been settled and provided for by your consent; though I was afraid, lest it might be attended with some ill consequence, yet I hoped that you had some special reason for it, which I could not penetrate; but, having since been informed, both by friends and letters, that your conduct is universally condemned, I am extremely disturbed at it; because the little hopes, that were left, seem now to be destroyed: for should the new tribunes quarrel with us upon it, what farther hopes can there be? and they have reason to do so; since they were not consulted in it, though they had undertaken my cause, and have lost by our concession all that influence, which they would otherwise have had over it; especially, when they declare that it was for my sake only, that they desired the power of furnishing out the consuls; not with design to hinder them, but to secure them to my interest; whereas, if the consuls have a mind to be perverse, they may now be so, without any risk; yet, let them be never so well disposed, can do nothing without the consent of the tribunes. As to what you say, that, if you had not agreed to it, the consuls would have carried their point with the people; that could never have been done, against the will of the tribunes: I am afraid, therefore, that we have lost by it the affection of the tribunes; or, if that still remains, have lost, at least, our

A. Urb. 695. Cic. 49. Com. — L. Calpurnius Piso. A.

truth, though it should happen to be disagreeable of December<sup>1</sup>."

But Atticus, instead of answering this letter, or rather indeed before he received it, having occasion to visit his estate in Epirus, took his way thither, through Dyrrhachium, on purpose to see Cicero, and explain to him, in person, the motives of their conduct. Their interview was but short; and, after they parted, Cicero, upon some new intelligence, which gave him fresh uneasiness, sent another letter after him into Epirus, to call him back again: "After you left me," says he, "I received letters from Rome, from which I perceive, that I must end my days in this calamity; and, to speak the truth (which you will take in good part) if there had been any hopes of my return, you, who love me well, would never have left the city at such a conjuncture: but I say no more, lest I be thought either ungrateful, or desirous to involve my friends too in my ruin; one thing I know, that you would not fail, as you have given your word, to come to me, wherever I shall happen to be, before the first of January<sup>2</sup>."

While he was thus perplexing himself with perpetual fears and suspicions, his cause was proceeding very prosperously at Rome, and seemed to be in such a train, that it could not be obstructed much longer: for the new magistrates, who were coming on with the new year, were all, except the prætor Appius, supposed to be his friends; while his enemy Clodius was soon to resign his office, on which the greatest part of his power depended; Clodius himself was sensible of the daily decay of his credit, through the superior influence of Pompey; who had drawn Cæsar away from him, and forced even Gabinus to desert him: so that, out of rage and despair, and the desire of revenging himself on these new and more powerful enemies, he would willingly have dropped the pursuit of Cicero; or consented even to recal him, if he could have persuaded Cicero's friends and the senate to join their forces with him against the triumvirate. For this end, he produced Bibulus, and the other augurs, in an assembly of the people, and demanded of them, whether it was not unlawful to transact any public business, when any of them were taking the auspices? To which they all answered in the affirmative. Then he asked Bibulus, whether he was not actually observing the heavens, as oft as any of Cæsar's laws were proposed to the people? To which he answered in the affirmative: but being produced a second time, by the prætor Appius, he added, that he took the auspices also, in the same manner, at the time when Clodius's

<sup>1</sup> Ad Att. 3. 24.

<sup>2</sup> Ibid. 25.



A. Urb. 695. Cic. 49. Cons.—L. Calpurnius Piso. A. Gabinus.

people, granted this priesthood to one Brogitarus, a petty sovereign in those parts, to whom he had before given the title of king: "and I shall think him a king indeed," says Cicero, "if ever he be able to pay the purchase money:" but the spoils of the temple were destined to that use, and would soon have been applied to it, if Deiotarus, king of Galatia, a prince of noble character, and a true friend to Rome, had not defeated the impious bargain, by taking the temple into his protection, and maintaining the lawful priest against the intruder: not suffering Brogitarus, though his son-in-law, to pollute or touch any thing belonging to it<sup>1</sup>.

All the ten new tribunes had solemnly promised to serve Cicero; yet Clodius found means to corrupt two of them, S. Antilius Serranus, and Numerius Quinctius Gracchus; by whose help he was enabled still to make head against Cicero's party, and retard his restoration some time longer: but Piso and Gabinus, perceiving the scene to be opening apace in his favour, and his return to be unavoidable, thought it time to get out of his way, and retire to their several governments, to enjoy the reward of their perfidy: so that they both left Rome, with the expiration of their year, and Piso set out for Macedonia, Gabinus for Syria.

A. Urb. 696. Cic. 50. Cons.—P. Cornel. Lentul. Spinther. Q. Cæcil. Metel. Nepos.

On the first of January, the new consul, Lentulus, after the ceremony of his inauguration, and his first duty paid, as usual, to religion, entered directly into Cicero's affair, and moved the senate for his restoration<sup>2</sup>; while his colleague, Metellus, declared, with much seeming candour, that though Cicero and he had been enemies, on account of their different sentiments in politics, yet he would give up his resentments to the authority of the fathers, and the interests of the Republic<sup>3</sup>.

<sup>1</sup> Qui accepta pecunia Pessinuntem ipsum, sedem domiciliumque Matris Deorum vetaria, et Brogitaro, Gallogræco impuro homini ac nefario—totum illum locum huncque vendideris. Sacerdotem ab ipso ara, pulvinaribusque detraxeris.—Quæ Reges omnes, qui Asiam Europamque tenuerunt, semper summa religione coluerunt.—Quæ Majores nostri tam sancta duxerunt, ut—nostri imperatores maximis et periculosis bellis huc Deæ vota facerent, eaque in ipso Pessinunte ad illam ipsam principem aram et in illo loco Fanoque persolverent.—Ita talis regem, si habuerit unde tibi solvat.—Nam cum multa regna sunt in Deo, tam sola maxime, quod tibi nomen nullum dedit.—Quod Pessinuntem per scelus a te violatum, et sacerdote, sacrisque pollutum recuperavit.—Quod ceremonias ab omni vetustate acceptas a Brogitaro pollui non sinis, maxillique generum suorum nonere (i.e. quam illud Fanum antiquitate religionis carere).—De Harusp. resp. 13. Pro Sext. 20.

<sup>2</sup> Januarius.—P. Lentulus Consul—annul ac de solemoni religione retulit, cum rerum sibi prius, quam de me agendum judicavit. Post red. ad

legem ejus moderatio de me? Qui cum inimicitias sibi mecum ex acceptis esse dixisset, cum eo Patribus conscriptis dixit et temporibus a.—Pro Sext. 32.

A. Urb. 686. Cic. 50. Coss.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepes.

Upon which L. Cotta, a person of consular and censorian rank, being asked his opinion the first, said, that nothing had been done against Cicero, agreeably to right or law, or the customs of their ancestors; that no citizen could be driven out of the city without a trial; and that the people could not condemn nor even try a man capitally, but in an assembly of the centuries: that the whole was the effect of violence, turbulent times, and an oppressed Republic: that, in so strange a revolution and confusion of all things, Cicero had only stepped aside, to provide for his future tranquillity, by declining the impending storm; and, since he had freed the Republic from no less danger by his absence, than he had done before by his presence, that he ought not only to be restored, but to be adorned with new honours: that what his mad enemy had published against him, was drawn so absurdly, both in words and sentiments, that, if it had been enacted in proper form, it could never obtain the force of a law: that, since Cicero, therefore, was expelled by no law, he could not want a law to restore him, but ought to be recalled by a vote of the senate. Pompey, who spoke next, having highly applauded what Cotta said, added, that, for the sake of Cicero's future quiet, and to prevent all farther trouble from the same quarter, it was his opinion, that the people should have a share in conferring that grace, and their consent be joined also to the authority of the senate. After many others had spoken, likewise, with great warmth, in the defence and praise of Cicero, they all came, unanimously, into Pompey's opinion, and were proceeding to

## OF CICERO.

A. U. C. 696. Cic. 50. Cons.—P. Cora. Lentul. Splinter. Q. Cae. Metel. Nepos.

friends, being not only perfidious and contrary to his engagements, but highly ungrateful to Cicero; who in his consulship had been his special encourager and benefactor<sup>1</sup>.

The senate, however, though hindered at present from passing their decree, were too well united, and too strongly supported, to be baffled much longer by the artifices of a faction: they resolved, therefore, without farther delay, to propound a law to the people for Cicero's restoration; and the twenty-second of the month was appointed for the promulgation of it. When the day came, Fabricius, one of Cicero's tribunes, marched out with a strong guard, before it was light, to get possession of the rostra: but Clodius was too early for him; and, having seized all the posts and avenues of the Forum, was prepared to give him a warm reception: he had purchased some gladiators, for the shows of his ædileship, to which he was now pretending: and borrowed another band of his brother Appius; and with these well armed, at the head of his slaves and dependents, he attacked Fabricius, killed several of his followers, wounded many more, and drove him quite out of the place: and, happening to fall in at the same time with Cispus, another tribune, who was coming to the aid of his colleague, he repulsed him also with a great slaughter. The gladiators, heated with this taste of blood, opened their way on all sides with their swords, in quest of Quintus Cicero; whom they met with at last, and would certainly have murdered, if, by the advantage of the confusion and darkness, he had not hid himself under the bodies of his slaves and freedmen, who were killed around him; where he lay concealed, till the fray was over. The tribune, Sextius, was treated still more roughly; for, being particularly pursued and marked out for destruction, he was so desperately wounded, as to be left for dead upon the spot; and escaped death, only by feigning it: but while he lay in that condition, supposed to be killed, Clodius reflecting that the murder of a tribune, whose person was sacred, would raise such a storm as might occasion his ruin, took a sudden resolution to kill one of his own tribunes, in order to charge it upon his adversaries, and so balance the account, by making both sides equally obnoxious: the victim doomed

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*dirit, sese otii mei causa, ut omni populari concertatione defungerer, censere; ut ad senatus auctoritatem populi quoque Romani beneficium adjungeretur. Cum omnes certatim, aliusque alio gravius de mea salute dixisset, fieretque sine ulla varietate discessio: surrexit Atilius; nec ausus est, cum esset emptus, intercedere; noctem sibi ad deliberandum postulavit. Clamor senatus, querela, preces, socer ad pedes abjectus. Ille, ne affirmare postero die moram nullam esse facturum. Creditum est, discessum est: illi interea deliberatori merces, interposita nocte, duplicata est. Pro Sext. 84.*

*Deliberatio non in reddenda, quemadmodum nonnulli arbitrabantur, sed, ut patefactum est, in augenda mercede consumta est. Post red. ad Quir. 5.*

<sup>1</sup> *Le tribunos pleb. quem ego maximis beneficiis quaestorem consul ornaveram. Ibid.*

A. Urb. 696. Clc. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepes. to this sacrifice was Numerius Quinctius, an obscure fellow, raised to this dignity by the caprice of the multitude, who, to make himself the more popular, had assumed the surname of Gracchus; “but the crafty clown,” says Cicero, having got some hint of the design, and finding that his blood was to wipe off the envy of Sextius’s, disguised himself presently in the habit of a muleteer, the same in which he first came to Rome, and with a basket upon his head, while some were calling out for Numerius, others for Quinctius, passed undiscovered by the confusion of the two names; but he continued in this danger till Sextius was known to be alive: and if that discovery had not been made sooner than one would have wished, though they could not have fixed the odium of killing their mercenary where they designed it; yet they would have lessened the infamy of one villany, by committing another, which all people would have been pleased with.” According to the account of this day’s tragedy, the Tiber, and all the common sewers, were filled with dead bodies, and the blood wiped up with sponges in the Forum, where such heaps of slain had never before been seen, but in the civil dissensions of Cinna and Octavius<sup>1</sup>.

Clodius, flushed with this victory, set fire, with his own hands, to the temple of the nymphs; where the books of the censors and the public registers of the city were kept, which were all consumed with the fabric itself<sup>2</sup>. He then attacked the houses of Milo the tribune, and Cæcilius the prætor, with fire and sword; but was repulsed in both attempts with loss:

## OF CICERO.

A. U. C. 695. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

Serranus<sup>1</sup>. Upon these outrages, Milo impeached Clodius in law, for the violation of the public peace: but the consul Metellus, who had not yet abandoned him, with the prætor Appius, and the tribune Serranus, resolved to prevent any process upon it; and, by their edicts, prohibited either the criminal himself to appear, or any one to cite him<sup>2</sup>. Their pretence was, that the quæstors were not yet chosen, whose office it was to make the allotment of the judges; while they, themselves, kept back the election, and were pushing Clodius, at the same time, into the ædileship; which would screen him, of course, for one year from finding it impracticable to  
 method, resolved to deal with force to force; and, for this purpose, he had bought gladiators, with which he had fought in the streets; and acquired a great reputation, for being the first, who had bought gladiators, for the defence of the Republic.

This obstruction given to Clodius's return, by an obstinate and desperate faction, made the senate only the more resolute to effect it: they passed a second vote, therefore, that no other business should be done, till it was carried; and, to prevent all farther tumults and insults upon the magistrates, ordered the consuls to summon all the people of Italy, who wished well to the state, to come to the assistance and defence of Cicero<sup>3</sup>. This gave new spirits to the honest citizens, and drew a vast concourse to Rome from all parts of Italy, where there was not a corporate town, of any note, which did not testify its respect to Cicero, by some public act or monument. Pompey was at Capua, acting as chief magistrate of his new colony; where he presided in person, at their making a decree to Cicero's honour, and took the trouble, likewise, of visiting all the other colonies and chief towns in those parts, to appoint them a day of general rendezvous at Rome, to assist at the promulgation of the law<sup>4</sup>.

<sup>1</sup> Gladiatores—comprehensi, in senatum introducti, confessi, in vincula conjecti a Milone, emissi a Serrano. Pro Sext. 39.

<sup>2</sup> Ecce tibi consul, prætor, tribunus pleb. nova novi generis edicta proponunt: ne reus adsit, ne citetur. Pro Sext. 41.

<sup>3</sup> Sed honori summo Miloni nostro nuper fuit, quod gladiatoribus emptis Reipub. causam, quam salute nostra continebatur, omnes P. Clodii conatus furoresque compressit. De Offic. 2. 17.

<sup>4</sup> Itaque postea nihil vos civibus, nihil sociis, nihil Regibus respondistis. Post red. in Sen. 3.

Quid mihi præclarior accidere potuit, quam quod illo referente vos decrevistis, ut cuncti ex omni Italia, qui Remp. salvam vellent, ad me unum—restituendum, et defendendum venirent? Ibid. 9.

In una mea causa factum est ut lîteris consularibus ex S. C. cuncta ex Italia omnes, qui Remp. salvam vellent, convocarentur. Pro Sext. 60.

<sup>5</sup> Qui in colonia nuper constituta, cum ipse gereret magistratum, vim et crudelita-

A. Urb. 696. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

Lentulus, at the same time, was entertaining the city with shows and stage plays, in order to keep the people in good humour, whom he had called from their private affairs in the country, to attend the public business. The shows were exhibited in Pompey's theatre, while the senate, for the convenience of being near them, was held in the adjoining temple of honour and virtue, built by Marius, out of the Cimbris spoils, and called, for that reason, Marius's monument: here, according to Cicero's dream, a decree now passed in proper form for his restoration; when, under the joint influence of those deities, honour, he says, was done to virtue; and the monument of Marius, the preserver of the empire, gave safety to his countryman, the defender of it<sup>1</sup>.

The news of this decree no sooner reached the neighbouring theatre, than the whole assembly expressed their satisfaction by claps and applauses, which they renewed upon the entrance of every senator: but when the consul Lentulus took his place, they all rose up, and, with acclamations, stretched-out hands, and tears of joy, publicly testified their thanks to him. But when Clodius ventured to show himself, they were hardly restrained from doing him violence; throwing out reproaches, threats, and curses upon him: so that, in the shows of gladiators, which he could not bear to be deprived of, he durst not go to his seat in the common and open manner, but used to start up into it at once, from some obscure passage under the benches, which, on that account, was jocosely called the Appian way: where he was no sooner espied, than so general a hiss

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A. Urb. 696. Cic. 39. Com.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

When the decree passed, the famed tragedian, *Æsopus*, who acted, as Cicero says, the same good part in the Republic, that he did upon the stage, was performing the part of *Telamon*, banished from his country, in one of *Accius's* plays; where, by the emphasis of his voice, and the change of a word or two in some of the lines, he contrived to turn the thoughts of the audience on Cicero. "What he! who always stood up for the Republic! who, in doubtful times, spared neither life nor fortunes—the greatest friend, in the greatest danger—of such parts and talents—O father—I saw his houses and rich furniture all in flames—O ungrateful of services!—to see his country; and suffer him sentences there was no end of the same poet, called *Andronicus* pronounced *Tullius*, who the people were so affected a thousand times. This was the whole time of his exile: there was not a passage in any play, which could possibly be applied to his case, but the whole audience presently caught it up, and by their claps and applauses, loudly signified their zeal and good wishes for him<sup>1</sup>.

Though a decree was regularly obtained for Cicero's return, *Clodius* had the courage and address still to hinder its passing into a law: he took all occasions of haranguing the people against it; and when he had filled the forum with his mercenaries, he used to demand of them aloud, contrary to the custom of Rome, whether they would have Cicero restored or not; upon which his emissaries, raising a sort of dead cry in the negative, he laid hold of it, as the voice of the Roman people, and declared the proposal to be rejected<sup>2</sup>. But the senate, ashamed to see their authority thus insulted, when the whole city was on their side, resolved to take such measures,

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*repentinis sibilis extimescebant. Videtisne igitur, quantum inter populum Romanum, et concionem interit? Dominos concionum omni odio populi notari? Quibus autem consistere in operarum concionibus non liceat, eos omni populi Romani significatione decorari?* Ibid. 59.

<sup>1</sup> *Recenti nuncio de illo S. C. ad ludos scenarumque perlato, summus artifex, et meretricule semper partium in Repub. tanquam in scena, optimatum, flens et recenti lætitiæ et misto dolore ac desiderio mei—summi enim poëtæ ingenium non solum arte sua sed etiam dolore exprimebat. Quid enim? qui Remp. certo animo adjuverit, statuerit, steterit, cum Achivis,—re dubia nec dubitarit vitam offerro, nec capiti pepercerit,—summum amicum summo in bello—summo ingenio præditum—O Pater—hæc omnia vidi inflammari—O ingraticuli Argivi, inanes Graii, immemores beneficii!—exulare sinitis, sistis pelli, pulsum patimini—quæ significatio fuerit omnium, quæ declaratio voluntatis ab universo populo Romano?*

*Nominatum sum appellatus in Bruto, Tullius, qui libertatem civibus stabiliverat. Milites revocatum est.* Ibid. 56. 7. 8.

<sup>2</sup> *Ille tribunus pleb. qui de me—non majorum suorum, sed Græculorum instituto, concionem interrogare solebat, velletne me redire: et cum erat reclamatum semivivis mercenariorum vocibus; populum Romanum negare dicebat.* Ibid. 59.

A. Urb. 686. Clc. 50. Com.—P. Corn. Lentul. Spinther. Q. Cnc. Metel. Nepos.

in the support of their decrees, that it should not be possible to defeat them. Lentulus, therefore, summoned them into the Capitol, on the twenty-fifth of May, where Pompey began the debate, and renewed the motion for recalling Cicero; and, in a grave and elaborate speech, which he had prepared in writing, and delivered from his notes, gave him the honour of having saved his country<sup>1</sup>. All the leading men of the senate spoke after him, to the same effect; but the consul, Metellus, notwithstanding his promises, had been acting, hitherto, a double part; and was, all along, the chief encourager and supporter of Clodius: when Servilius, therefore, rose up, a person of the first dignity, who had been honoured with a triumph and the censorship, he addressed himself to his kinsman Metellus; and calling up from the dead all the family of the Metelli, laid before him the glorious acts of his ancestors, with the conduct and unhappy fate of his brother, in a manner so moving, that Metellus could not hold out any longer against the force of the speech, nor the authority of the speaker; but, with tears in his eyes, gave himself up to Servilius, and professed all future services to Cicero: in which he proved very sincere, and from this moment, assisted his colleague in promoting Cicero's restoration; so that, in a very full house, of four hundred and seventeen senators, when all the magistrates were present, the decree passed, without one dissenting voice, but Clodius's<sup>2</sup>: which gave occasion to Cicero to write a particular letter of thanks to Metellus, as he had done once before, upon his first declaration for him<sup>3</sup>.

A. Urb. 686. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

states and cities, which had received and entertained Cicero; and that the care of his person should be recommended to all foreign nations in alliance with them; and that the Roman generals, and all who had command abroad, should be ordered to protect his life and safety<sup>1</sup>.

One cannot help pausing awhile, to reflect on the great idea, which these facts imprint of the character and dignity of Cicero; to see so vast an empire in such a ferment on his account, as to postpone all their concerns and interests, for many months successively, to the safety of a single senator<sup>2</sup>; who had no other means of exciting the zeal, or engaging the affections of his citizens, but the genuine force of his personal virtues, and the merit of his eminent services: as if the Republic itself could not stand without him, but must fall into ruins, if he, the main pillar of it, was removed; whilst the greatest monarchs on earth, who had any affairs with the people of Rome, were looking on to expect the event, unable to procure any answer or regard to what they were soliciting till this affair was decided: Ptolemy, the king of Egypt, was particularly affected by it: who being driven out of his kingdom, came to Rome about this time, to beg help and protection against his rebellious subjects; but, though he was lodged in Pompey's house, it was not possible for him to get an audience, till Cicero's cause was at an end.

The law, now prepared for his restoration, was to be offered to the suffrage of the centuries: this was the most solemn and honourable way of transacting any public business, where the

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A. Urb. 696. Ck. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

des, it should then be obstructed, to come away directly upon the authority of the senate, and rather hazard his life, than for the loss of his country any longer<sup>1</sup>. But the vigour of the late debates had so discouraged the chiefs of the faction, that they left Clodius single in the opposition; Metellus stopped him, and his brother Appius was desirous to be met<sup>2</sup>; yet, it was above two months still, from the last decree, before Cicero's friends could bring the affair to a general vote, which they effected, at last, on the fourth of August.

There had never been known so numerous and solemn an assembly of the Roman people as this: all Italy was drawn together on the occasion: it was reckoned a kind of sin to be absent; and neither age nor infirmity was thought a sufficient excuse, for not lending a helping hand to the restoration of Cicero: all the magistrates exerted themselves in recommending the law, excepting Appius and the two tribunes, who durst not venture, however, to oppose it; the meeting was held in the field of Mars, for the more convenient reception of so great a multitude; where the senators divided among themselves the task of presiding in the several centuries, and seeing the poll fairly taken: the result was, that Cicero was recalled from exile, by the unanimous suffrage of all the centuries; and to be infinite joy of the whole city<sup>3</sup>.

Clodius, however, had the hardiness, not only to appear, but to speak in this assembly against the law; but nobody regarded him, nor heard a word that he said: he now found the difference mentioned above, between a free convention of the Roman people, and those mercenary assemblies, where a few desperate citizens, headed by slaves and gladiators, used to carry all before them: "Where now," says Cicero, "were those tyrants in the Forum, those haranguers of the mob, those disposers of kingdoms?"—This was one of the last genuine acts of freedom; one of the last efforts of public liberty, exerting itself to do honour to its patron and defender: for the union of the triumvirate had already given it a dangerous wound, and their dissension, which not long after ensued, entirely destroyed it.

But it gave some damp to the joy of this glorious day, that

<sup>1</sup> *Mibi in animo est legum lationem expectare, et si obtrektabitur, utar auctoritate satius, et potius vita quam patria carebo.* Ad Att. 3. 26.

<sup>2</sup> *Medi cum maxima dignitate, fratre tuo altero consule reducente, altero prætoris presentia.* Pro Dom. 33.

<sup>3</sup> *Quo die quis civis fuit, qui non nefas esse putaret, quacunque aut ætate aut valetudine esset, non se de salute mea sententiam ferre?* Post red. in Sen. xi.

*Nemo sibi nec valetudinis excusationem nec senectutis satius justam putavit.* Pro xt. 52.

*De me cum omnes magistratus promulgassent, præter unum prætorem, a quo non erat postulandum, fratrem inimici mei, præterque duos de lapide emptos tribunos plebis—illis comitiis unquam multitudinem hominum tantam, neque splendidiorem fuisse,—et rogatores, vos distributores, vos custodes fuisse tabularum.*—In Pison. 15.

A. Urb. 696. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

Cicero's son-in-law, Piso, happened to die not long before it, to the extreme grief of the family; without reaping the fruit of his piety, and sharing the pleasure and benefit of Cicero's return. His praises, however, will be as immortal as Cicero's writings, from whose repeated character of him we learn, that, for parts, probity, virtue, modesty, and for every accomplishment of a fine gentleman and fine speaker, he scarce left his equal behind him, among all the young nobles of that age<sup>1</sup>.

Cicero had resolved to come home, in virtue of the senate's decree, whether the law had passed or not; but, perceiving, from the accounts of all his friends, that it could not be defeated any longer, he embarked for Italy on the fourth of August; the very day on which it was enacted: and landed the next day at Brundisium, where he found his daughter Tullia already arrived to receive him. The day happened to be the annual festival of the foundation of the town, as well as of the dedication of the temple of safety at Rome; and the birth-day likewise of Tullia: as if Providence had thrown all these circumstances together to enhance the joy and solemnity of his landing; which was celebrated by the people with the most profuse expressions of mirth and gaiety. Cicero took up his quarters again with his old host Lenius Flaccus, who had entertained him so honourably in his distress, a person of great learning as well as generosity: here he received the welcome news in four days from Rome, that the law was actually ratified by the people with an incredible zeal and unanimity of all the

A. Urb. 695. Clc. 60. Cons.—P. Corn. Lentul. Spu.ther Q. Cinc. Metel. Nepos.

parts, to see him as he passed, and congratulate him on his return: so that the whole road was but one continued street from Brundisium to Rome, lined on both sides with crowds of men, women, and children; nor was there a præfecture, town, or colony through Italy, which did not decree him statues or public honours, and send a deputation of their principal members to pay him their compliments: so that it was rather less than the truth, as Plutarch says, what Cicero himself tells us, that all Italy brought him back upon its shoulders<sup>1</sup>. "But that one day," says he, "was worth an immortality; when on my approach towards the city, the senate came out to receive me, followed by the whole body of the citizens; as if Rome itself had left its foundations, and marched forward to embrace its preserver<sup>2</sup>."

As soon as he entered the gates he saw the steps of all the temples, porticos, and even the tops of houses covered with people, who saluted him with an universal acclamation, as he marched forward towards the Capitol, where fresh multitudes were expecting his arrival; yet, in the midst of all this joy, he could not help grieving, he says, within himself, to reflect, that a city so grateful to the defender of its liberty, had been so miserably enslaved and oppressed<sup>3</sup>. The Capitol was the proper seat or throne, as it were, of the majesty of the empire; where stood the most magnificent fabric of Rome, the Temple of Jupiter, or of that god whom they styled the Greatest and the Best<sup>4</sup>; to whose shrine all, who entered the city in pomp or triumph, used always to make their first visit. Cicero, therefore, before he had saluted his wife and family, was obliged to discharge himself here of his vows and thanks for his safe return; where, in compliance with the popular superstition, he paid his devotion also to that tutelary Minerva, whom, at his quitting Rome, he had placed in the temple of her father. From this office of religion he was conducted by the same company, and with the same acclamations, to his

<sup>1</sup> Meus quidem reditus is fuit, ut a Brundisio usque Romanum agmen perpetuum totius Italiae viderem. Neque enim regio fuit ulla, neque præfectura, neque municipium aut colonia, ex qua non publice ad me venerint gratulatum. Quid ducam adveniens meos? Quid effusiones ex oppidis? Quid concursum ex agris patrum familias cum conjugibus & liberis? &c. in *Pison.* 22.

Italia cuncta pene suis humeris reportavit. Post red. in *Sen.* 15.

Invenire tota urbes Italiae festos dies agere adventus mei videbantur. Vis multitudinis legatorum undique missorum celebrabantur. *Pro Sext.* 63.

<sup>2</sup> Unus ille dies mihi quidem instat immortalitatis fuit—cum Senatum egressum vidi, populumque Romanum universum, cum mihi ipsa Roma, prope convulsa sedibus suis, ad complectendum conservatorem animum procedere visa est. In *Pison.* 22.

<sup>3</sup> orta, in Capitolium accensus, domum reditus erat ejusmodi, ut summa in dolorem, civitatem tam gratam, tam miseram atque oppressam suam. *Pro*

quem propter beneficia, populus Romanus Optimum, ait. *Pro Dom.* 57.

A. Urb. 536. Clc. 59. Com.—P. Corn. Lentul. Spithar. Q. Cinc. Metel. Nepos.

brother's house, where this great procession ended: which from one end of it to the other, was so splendid and triumphant that he had reason, he says, to fear, lest people should imagine that he, himself, had contrived his late flight, for the sake of a glorious a restoration<sup>1</sup>.

## SECTION VI.

CICERO's return was, what he himself truly calls it, the beginning of a new life to him<sup>2</sup>; which was to be governed by new maxims, and a new kind of policy; yet, so as not to forfeit his old character. He had been made to feel in what hands the weight of power lay, and what little dependence was to be placed on the help and support of his aristocratical friends. Pompey had served him on this important occasion very sincerely, and with the concurrence also of Cæsar; so as to make it a point of gratitude, as well as prudence, to be more observant of them than he had hitherto been: the senate, on the other hand, with the magistrates and the honest of all ranks, were zealous in his cause; and the consul Lentulus, above all, seemed to make it the sole end and glory of his administration<sup>3</sup>. This uncommon consent of opposite parties in promoting his restoration, drew upon him a variety of obligations, which must needs often clash and interfere with each other; and which it was his part still to manage so, as to make them consistent with his honour, his safety, his private and his public duty:

A. U. C. 686. Cc. 30. Cons.—P. Corn. Lentul. Spinther. Q. Cnc. Metel. Nepes.

paying his thanks to them in public, for their late services; where, after a general profession of his obligations to them all, he made his particular acknowledgments to each magistrate by name; to the consuls, the tribunes, the prætors: he addressed himself to the tribunes, before the prætors; not for the dignity of their office, for in that they were inferior, but for their greater authority in making laws; and, consequently, their greater merit in carrying his law into effect. The number of his private friends was too great to make it possible for him to enumerate or thank them all; so that he confined himself to the magistrates, with exception only to Pompey<sup>1</sup>, whom, for the eminence of his character, though, at present, only a private man, he took care to distinguish by a personal address and compliment. But as Lentulus was the first in office, and had served him with the greatest affection, so he gives him the first share of his praise; and, in the overflowing of his gratitude, styles him, the parent and the god of his life and fortunes<sup>2</sup>. The next day he paid his thanks likewise to the people, in a speech from the rostra; where he dwelt chiefly on the same topics which he had used in the senate, celebrating the particular merits and services of his principal friends, especially of Pompey; whom he declares to be the greatest man for virtue, wisdom, and glory, who was then living, or had lived, or ever would live; and that he owed more to him, on this occasion, than it was even lawful, almost, for one man to owe to another<sup>3</sup>.

Both these speeches are still extant, and a passage or two from each will illustrate the temper and disposition in which he returned: in speaking to the senate, after a particular recital of the services of his friends, he adds; “as I have a pleasure in enumerating these, so I willingly pass over in silence what others wickedly acted against me: it is not my present business to remember injuries: which, if it were in my power to revenge, I should choose to forget; my life shall be applied to other purposes; to repay the good offices of those who have deserved it of me; to hold fast the friendships, which have

<sup>1</sup> Cum per paucis nominatim gratias egissem, quod omnes enumerari nullo modo posset, scelus autem esset quenquam præteriri. Ibid. 30.

Hodlerno autem die nominatim a me magistratibus statui gratias esse agendas, et de privatis uni, qui pro salute mea municipia, coloniasque adiunxit.—Post red. in Sen. 12.

<sup>2</sup> Principe P. Lentulus, parens ac deus nostræ vitæ, fortune, &c. ibid. 4. It was a kind of maxim among the ancients, that to do good to a mortal, was to be a god to a mortal. Deus est mortali, juvare mortalem [Plin. Hist. 2. 7.] Thus Cicero, as he calls Lentulus here his god, so, on other occasions, gives the same appellation to Plato. Deus ille noster Plato—[Ad Att. 4. 16.] to express the highest sense of the benefits received from them.

<sup>3</sup> Cn. Pompeius, vir omnium qui sunt, fuerunt, erunt, princeps virtute, sapientia, ac gloria. Huc ego homini, Quirites, tantum debeo, quantum hominem homini debere vix fas est. Post red. ad Quir. 7.

A. Urb. 696 Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

been tried, as it were, in the fire: to wage war with declared enemies; to pardon my timorous, nor yet expose my treacherous friends; and to balance the misery of my exile by the dignity of my return<sup>1</sup>." To the people he observes; that there were four sorts of enemies, who concurred to oppress him: the first, who, out of hatred to the Republic, were mortal enemies to him for having saved it: the second, who, under a false pretence of friendship, infamously betrayed him: the third, who, through their inability to obtain what he had acquired, were envious of his dignity: the fourth, who, though by office they ought to have been the guardians of the Republic, bartered away his safety, the peace of the city, and the dignity of the empire, which were committed to their trust. "I will take my revenge," says he, "on each of them, agreeably to the different manner of their provocation; on the bad citizens, by defending the Republic strenuously; on my perfidious friends, by never trusting them again; on the envious, by continuing my steady pursuit of virtue and glory; on those merchants of provinces, by calling them home to give an account of their administration: but I am more solicitous how to acquit myself of my obligations to you, for your great services, than to resent the injuries and cruelties of my enemies: for it is much easier to revenge an injury than to repay a kindness, and much less trouble to get the better of bad men, than to equal the good<sup>2</sup>."

This affair being happily over, the senate had leisure again to attend to public business; and there was now a case before

A. Urb. 696. Cic. 50. Cons.—P. Corn. Lentul. Splinter Q. Cæc. Metel. Nepos.

side of corn, secreted from common use<sup>1</sup>. He sent his mob also to the theatre, in which the prætor Cæcilius, Cicero's particular friend, was exhibiting the Apollinarian shows, where they raised such a terror, that they drove the whole company out of it: then, in the same tumultuous manner, they marched to the Temple of Concord, whither Metellus had summoned the senate; but, happening to meet with Metellus in the way, they presently attacked him with volleys of stones; with some of which they wounded even the consul himself, who, for the greater security, immediately adjourned the senate into the capitol. They were led on by two desperate ruffians, their usual commanders, M. Lollius and M. Sergius; the first of whom had in Clodius's tribunate undertaken the task of killing Pompey; the second had been captain of the guard to Catiline, and was probably of his family<sup>2</sup>: but Clodius, encouraged by this hopeful beginning, put himself at their head in person, and pursued the senate into the capitol, in order to disturb their debates, and prevent their providing any relief for the present evil; and, above all, to excite the meaner sort to some violence against Cicero. But he soon found to his great disappointment, that Cicero was too strong in the affections of the city, to be hurt again so soon: for the people themselves saw through his design, and were so provoked at it, that they turned universally against him, and drove him out of the field with all his mercenaries; when, perceiving that Cicero was not present in the senate, they called out upon him by name, with one voice, and would not be quieted till he came in person to undertake their cause, and propose some expedient for their relief. He had kept his house all that day, and resolved to do so, till he saw the issue of the tumult; but when he understood that Clodius was repulsed, and that his presence was universally required by the consuls, the senate, and the whole people, he came to the senate house, in the midst of their debates, and being presently asked his opinion, proposed that Pompey should be entreated to undertake the province of restoring plenty to the city; and to enable him to execute it

<sup>1</sup> Qui facultate oblata, ad imperitorum animos incitandos, renovaturum te illa funesta atrocinitas ob annonæ causam putavisti. *Pro Dom.* 5.

Quid? puerorum illa concursio nocturna? num a te ipso instituta me frumentum flagitabant? Quasi vero ego aut rei frumentariæ præfuissem, aut compromissum aliquod frumentum tenerem. *Ibid.* 6.

<sup>2</sup> Cum homines theatrum primo, deinde ad senatum concurrissent impulsu Clodii. *Ad Att.* 4. 1.

Concursus est ad templum Concordiæ factus, senatum illuc vocante Metello—qui sunt homines a Q. Metello, in senatu palam nominati, a quibus illo se lapidibus appetitum, etiam percussum esse dixit. Quis est iste Lollius? Qui te tribuno pleb.—Cn. Pompeium interficiendum depoposcit.—Quis est Sergius? armiger Catilinæ, stipator tui corporis, signifer seditionis—his atque hujusmodi ducibus, cum tu in annonæ caritate in consules, in senatum—repentinos impetus comparares. *Pro Dom.* 5.

A. Urb. 696. Cic. 59. Com.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

with effect, should be invested with an absolute power over the public stores and corn-rents of the empire through all the provinces: the motion was readily accepted, and a vote immediately passed, that a law should be prepared for that purpose and offered to the people<sup>1</sup>. All the consular senators were absent, except Messala and Afranius; they pretended to be afraid of the mob; but the real cause was their unwillingness to concur in granting this commission to Pompey. The consuls carried the decree with them into the rostra, and read it publicly to the people; who, on the mention of Cicero's name in which it was drawn, gave an universal shout of applause, upon which, at the desire of all the magistrates, Cicero made a speech to them, setting forth the reasons and necessity of the decree, and giving them the comfort of a speedy relief, from the vigilance and authority of Pompey<sup>2</sup>. The absence, however, of the consular senators, gave a handle to reflect upon the act, as not free and valid, but extorted by fear, and without the intervention of the principal members; but the very next day, in a fuller house, when all those senators were present, and a motion was made to revoke the decree, it was unanimously rejected<sup>3</sup>; and the consuls were ordered to draw up a law conformable to it, by which the whole administration of the corn and provisions of the republic was to be granted to Pompey for five years, with a power of choosing fifteen lieutenants to assist him in it.

This furnished Clodius with fresh matter of abuse upon Cicero: he charged him with ingratitude, and the desertion of the senate, which had conferred a great trust on him, in order to grant

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A. Urb. 686. Ciz. 50. Com.—P. Corn. Lentul. Spaurher. Q. Cinc. Metel. Nepes.

of Pompey<sup>1</sup>. But Cicero defended himself, by saying, that they must not expect to play the same game upon him, now that he was restored, with which they had ruined him before, by raising jealousies between him and Pompey; that he had smarted for it too severely already, to be caught again in the same trap; that, in decreeing this commission to Pompey, he had discharged both his private obligations to a friend, and his public duty to the state; that those who grudged all extraordinary power to Pompey, must grudge the victories, the triumphs, the accession of dominion and revenue, which their former grants of this sort<sup>2</sup> had procured to the empire; that the success of those shewen what fruit they were to expect from this<sup>3</sup>.

But what authority soever this law conferred on Pompey, his creatures were not yet satisfied with it; so that Messius, one of the tribunes, proposed another, to give him the additional power of raising what money, fleets, and armies he thought fit; with a greater command through all the provinces, than their proper governors had in each. Cicero's law seemed modest, in comparison of Messius's: Pompey pretended to be content with the first, whilst all his dependants were pushing for the last: they expected that Cicero would come over to them; but he continued silent, nor would stir a step farther; for his affairs were still in such a state, as obliged him to act with caution, and to manage both the senate and the men of power; the conclusion was that Cicero's law was received by all parties, and Pompey named him for his first lieutenant, declaring that he should consider him as a second self, and act nothing without his advice<sup>4</sup>. Cicero accepted the employment, on condition that he might be at liberty to use or resign it at pleasure, as he found it convenient to his affairs<sup>5</sup>: but he soon after quitted it to his brother, and chose to continue in

<sup>1</sup> *Tunc es ille, inquit, quo Senatus carere non potuit?—quo restituto, Senatus auctoritatem restitutam putabamus? quam primum adveniens prodidisti.* Pro Dom. 2.

*Nescit quantum auctoritate valet, quas res gesserit, qua dignitate sit restitutus. Cur ornat eum a quo desertus est?* Ibid. 11.

<sup>2</sup> *Desinant homines istidem machinis sperare me restitutum posse labefactari, quibus ista stantem perculerunt. data merces est erroris mei magna, ut me non solum piget stultitiae meae, sed etiam pudeat.* Ibid. 11.

*Cn. Pompeio—maxima terra marique bella extra ordinem esse commissa. quarum rerum si quem poeniteat, cum victoriae populi Romani necesse est poenitere.* Ibid. 8.

<sup>3</sup> *Legem Consules conscripserunt—alteram Messius, qua omnis pecunia dat potestatem, et adjungit classem et exercitum, et majus imperium in provinciis, quam sit eorum, qui eas obtinent. Illa nostra lex Consularis nunc modesta videtur, haec Messii non ferenda. Pompeius illam velle se dicit; Familiare hanc. Consulares duce Favonio fremunt, nos tacemus; et eo magis quod de domo nostra nihil adhuc Pontifices responderunt.*

*Ille legatos quindecim cum postularet, me principem nominavit, et ad omnia me alterum se fore dixit.* Ad Att. 4. 1.

<sup>4</sup> *Ego me a Pompeio legari ita sum passus, ut nulla re impediret, quod ne, si vellem, mihi esset integrum.* Ibid. 2.

A. Urb. 696. Cic. 50. Com.—P. Corn. Lentul. Spinther. Q. Crec. Metel. Nepos.

the city, where he had the pleasure to see the end of his misfortune effectually answered; for the credit of Pompey's name immediately reduced the price of victuals in the markets, and his vigour and diligence in prosecuting the affair, soon established a general plenty.

Cicero was restored to his former dignity, but not to his former fortunes; nor was any satisfaction yet made to him for the ruin of his houses and estates: a full restitution indeed had been decreed, but was reserved to his return; which came now before the senate, to be considered and settled by public authority, where it met still with great obstruction. The chief difficulty was about his Palatine house, which he valued above all the rest, and which Clodius, for that reason, had contrived to alienate, as he hoped, irretrievably; by demolishing the fabric, and dedicating a temple upon the area to the goddess Liberty: where, to make his work the more complete, he pulled down also the adjoining portico of Catulus, that he might build it up anew, of the same order with his temple; and by blending the public with private property, and consecrating the whole to religion, might make it impossible to separate or restore any part to Cicero; since a consecration, legally performed, made the thing consecrated unapplicable ever after to any private use.

This portico was built, as has been said, on the spot where Fulvius Flaccus formerly lived, whose house was publicly demolished, for the treason of its master: and it was Clodius's design to join Cicero's to it, under the same denomination; as a perpetual memorial of a disgrace and punishment inflicted by the people<sup>1</sup>. When he had finished the portico, therefore, and annexed his temple to it, which took up but a small part,

priests, therefore, of all orders, were called together of September, to hear this cause, which Cicero brought before them: they were men of the most illustrious families in the republic: and there never was, as Cicero tells us, so full an appearance of them in any cause, since the foundation of the city: he reckons up nineteen by name: a great part of whom were of consular rank<sup>1</sup>. His first care, before he entered into the merits of the question, was to remove the prejudices, which his enemies had been labouring to instil, on the account of his late conduct in favour of Pompey, by explaining the motives, and shewing the necessity of it; contriving, at the same time, to turn the odium on the other side, by running over the history of Clodius's tribunate, and painting all its violences in the most odious colours; but the question on which the cause singly turned, was about the efficacy of the pretended consecration of the temple, and the dedication of the temple: to shew the necessity, therefore, of this act, he endeavours to overthrow the very foundation of it, and prove Clodius's tribunate to be originally null and void, from the invalidity of his adoption, on which it was entirely grounded: he shews, that the sole end of adoption, which the law acknowledged, was to supply the want of children, by borrowing them, as it were, from other families; that it was an essential condition of it, that he who adopted had no children of his own, nor was in condition to have any: that the parties concerned were obliged to appear before the priests, to signify their consent, the cause of the adoption, the circumstances of the families interested in it, and the nature of their religious rites; that the priests might judge of the whole, and see that there was no fraud or deceit in it, nor any dishonour to any family or person concerned: that nothing of all this had been observed in the case of Clodius: that the adopter was not full twenty years old, when he adopted a senator, who was old enough to be his father: that he had no occasion to adopt, since he had a wife and children, and would probably have more, which he must necessarily disinherit by this adoption, if it was real: that Clodius had no other view than, by the pretence of an adoption, to make himself a plebeian and tribune, in order to overturn the state: that the act itself, which confirmed the adoption, was null and illegal, being transacted while Bibulus was observing the auspices, which was contrary to express law, and huddled over in three hours by Cæsar, when it ought to have

<sup>1</sup> Nego unquam post sacra constituta, quorum eadem est antiquitas, quæ ipsius urbis, ulla de re, ne de capite quidem Virginum Vestalium, tam frequens collegium judicasset. De Harusp. resp. 6, 7.

A. Urb. 696. Cic. 50. Com.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

been published for three market days, successively, at the interval of nine days each': that if the adoption was irregular and illegal, as it certainly was, the tribunate must needs be so too, which was entirely built upon it: but granting the tribunate, after all, to be valid, because some eminent men would have it so, yet the act, made afterwards, for his banishment, could not possibly be considered as a law, but as a privilege only, made against a particular person; which the sacred laws and the laws of the twelve tables, had utterly prohibited: that it was contrary to the very constitution of the republic, to punish any citizen, either in body or goods, till he had been accused in proper form, and condemned of some crime, by competent judges: that privileges, or laws to inflict penalties on single persons, by name, without a legal trial, were cruel and pernicious, and nothing better than proscriptions, and all things not to be endured in their city'. Then, in entering upon the question of his house, he declares, that the whole effect of his restoration depended upon it; that if it was not given back to him, but suffered to remain a monument of triumph to his enemy, of grief and calamity to himself, he could not consider it as a restoration, but a perpetual punishment: that his house stood in the view of the whole people; and, if it must continue in its present state, he should be forced to remove to some other place, and could never endure to live in that city, in which he must always see trophies erected both against himself and the republic: "the house of Sp. Melius," says he, "who affected a tyranny, was levelled: and, by the

A. Urb. 696. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

the sacred books prescribed: "nor is it strange," says he, "that in an act so mad and villanous, his audaciousness could not get the better of his fears: for what pirate, though ever so barbarous, after he had been plundering temples, when, pricked by a dream or scruple of religion, he came to consecrate some altar on a desert shore, was not terrified in his mind, on being forced to appease that deity by his prayers, whom he had provoked by his sacrilege? In what horrors, then, think you, must this man needs be, the plunderer of all temples, houses, and the whole city; when for the expiation of so many impieties, he was wickedly consecrating one single altar?" Then after a solemn invocation and appeal to all the gods, who peculiarly favoured and protected that city, to bear witness to the integrity of his zeal and love to the Republic, and that in all his labours and struggles he had constantly preferred the public benefit to his own, he commits the justice of his cause to the judgment of the venerable bench.

He was particularly pleased with the composition of this speech, which he published immediately; and says upon it, that if ever he made any figure in speaking, his indignation and the sense of his injuries had inspired him with new force and spirit in this cause<sup>1</sup>. The sentence of the priests turned wholly on what Cicero had alleged about the force of the Papirian law, viz. that if he, who performed the office of consecration, had not been specially authorized, and personally appointed to it, by the people, then the area in question might, without any scruple of religion, be restored to Cicero. This,

though it was a great victory, was not the only one that Cicero obtained.

A. Urb. 696. Cic. 50. Com — P. Coru. Lentul. Spinther. Q. Crec. Metel. Nepon.

The senate met the next day, in a full house, to put an end to this affair; when Marcellinus, one of the consuls elect, being called on to speak first, addressed himself to the priests, and desired them to give an account of the grounds and meaning of their sentence; upon which Lucullus, in the name of the rest, declared that the priests were indeed the judges of religion, but the senate of the law; that they therefore had determined only what related to the point of religion, and left it to the senate to determine, whether any obstacle remained in point of law. All the other priests spoke largely after him in favour of Cicero's cause. When Clodius rose afterwards to speak, he endeavoured to waste the time so, as to hinder their coming to any resolution that day; but, after he had been speaking for three hours successively, the assembly grew so impatient, and made such a noise and hissing, that he was forced to give over: yet, when they were going to pass a decree, in the words of Marcellinus, Serranus put his negative upon it. This raised an universal indignation, and a fresh debate began, at the motion of the two consuls, on the merit of the tribune's intercession; when, after many warm speeches, they came to the following vote: "That it was the resolution of the senate, that Cicero's house should be restored to him, and Catulus's portico rebuilt, as it had been before; and that this vote should be defended by all the magistrates; and, if any violence or obstruction was offered to it, that the senate would look upon it as offered by him who had interposed his negative." This staggered Serranus, and the late farce was played over again; his father threw himself at his feet, to beg him to desist; he desired a night's time, which at first was refused, but, on Cicero's request, granted; and the next day he revoked his negative, and, without farther opposition, suffered the senate to pass a decree, that Cicero's damage should be made good to him, and his houses rebuilt at the public charge<sup>1</sup>.

The consuls began presently to put the decree into execution; and, having contracted for the rebuilding Catulus's portico, set men to work upon clearing the ground, and demolishing what had been built by Clodius: but, as to Cicero's buildings, it was agreed to make an estimate of his damage, and pay the amount of it to himself, to be laid out according to his own fancy: in which his Palatine house was valued at sixteen thousand pounds; his Tusculan at four thousand; his

Mihi facta statim est gratulatio: nemo enim dubitat, quin domus nobis esset adjudicata. Tum subito ille in concionem accendit, quam Appius et dedit: nunciat jam populo, pontifices secundum se decrevisse; me autem vi conari in possessionem venire: hortatur, ut se et Appium sequantur, et suam libertatem ut defendant. Hic cum etiam illi infirmi partim admirarentur, partim irriderent hominis amentiam. Ibid.

<sup>1</sup> Ibid.

A. Urb. 686. Cic. 56. Coss.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

Formian only at two thousand. This was a very deficient and shameful valuation, which all the world cried out upon; for the Palatine house had cost him, not long before, near twice that sum: but Cicero would not give himself any trouble about it, or make any exceptions, which gave the consuls a handle to throw the blame upon his own modesty, for not remonstrating against it, and seeming to be satisfied with what was awarded; but the true reason was, as he himself declares, that those who had clipped his wings, had no mind to let them grow again; and though they had been his advocates, when absent, began now to be secretly angry, and openly envious of him, when present<sup>1</sup>.

But as he was never covetous, this affair gave him no great uneasiness; though, through the late ruin of his fortunes, he was now in such want of money, that he resolved to expose his Tusculan villa to sale; but soon changed his mind, and built it up again, with much more magnificence than before; and, for the beauty of its situation and neighbourhood to the city, took more pleasure in it ever after, than any other of his country seats. But he had some domestic grievances about this time, which touched him more nearly, and which, as he signifies obscurely to Atticus, were of too delicate a nature to be explained by a letter<sup>2</sup>: they arose chiefly from the petulant humour of his wife, which began to give him frequent occasions of chagrin; and, by a series of repeated provocations, confirmed in him that settled disgust, which ended at last in a divorce.

As he was now restored to the possession both of his dignity

## OF CICERO.

A. Urb. 696. Cic. 50. Com.—P. Corn. Lentul. Spinther Q. Cnr. Metel. Nepos.

some little coldness between them, and gave no small pleasure to the common enemies of them both<sup>1</sup>.

But Cicero's chief concern at present was, how to support his former authority in the city, and provide for his future safety, as well against the malice of declared enemies, as the envy of pretended friends, which he perceived to be growing up afresh against him; he had thoughts of putting in for the censorship; or of procuring one of those honorary lieutenancies, which gave a public character to private senators; with intent to make a progress through Italy, or a kind of religious pilgrimage to all the temples, groves, and sacred places, on pre of a vow, made in his exile. This would give him an tunity of shewing himself every where in a light, which rally attracts the attention of the multitude, by testif pious regard to the favourite superstitions and local relig the country; as the great, in the same country, still pa court to the vulgar, by visiting the shrines and altars . saints, which are most in vogue: he mentions these p to Atticus, as designed to be executed in the spring, res in the meanwhile, to cherish the good inclination of the pet towards him, by keeping himself perpetually in the view of city<sup>2</sup>.

Catulus's portico and Cicero's house were rising again apace, and carried up almost to the roof; when Clodius, without any warning, attacked them, on the second of November, with a band of armed men, who demolished the portico, and drove the workmen out of Cicero's ground, and with the stones and rubbish of the place began to batter Quintus's house, with whom Cicero then lived, and at last set fire to it; so that the two brothers, with their families, were forced to save themselves by a hasty flight. Milo had already accused Clodius for his former violences, and resolved, if possible, to bring him to justice: Clodius, on the other hand, was suing for the ædileship, to secure himself, for one year more, at least, from any prosecution: he was sure of being condemned, if ever he was brought to trial, so that whatever mischief he did in the mean time was all clear gain, and could not make his cause the worse<sup>3</sup>; he now therefore gave a free course to his natural fury; was perpetually scouring the streets with his incen-

<sup>1</sup> Plut. in Cic. Dio, p. 100.

<sup>2</sup> Ut nulla re impederer, quod ne si vellem, mihi esset integrum, aut si comitia censorum proximi consules haberent, petere posse, aut votivam legationem summissis prope omnium fanorum, lucorum. Ad Att. 4. 2.

<sup>3</sup> Armatis hominibus ante diem III Non Novemb expulsi sunt fabri de area nostra, disturbata porticus Catuli—Quæ ad tectum pene pervenerat Quinti fratris domus primo fracta coniectu lapidum, ex area nostra, deinde jussu Clodii inflammata, inspec tante urbe, coniectis ignibus.—Videt, si omnes quos vult palam, occiderit, nihilo suam causam difficiliorem, quam adhuc sit, in judicio futuram. Ibid. 3.

A. Urb. 696. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cœc. Metel. Nepos.

diaries, and threatening fire and sword to the city itself, if an assembly was not called for the election of ædiles. In this humour, about a week after his last outrage, on the eleventh of November, happening to meet with Cicero, in the sacred street, he presently assaulted him with stones, clubs, and drawn swords: Cicero was not prepared for the encounter, and took refuge in the vestibule of the next house; where his attendants, rallying in his defence, beat off the assailants, and could easily have killed their leader, but that Cicero was willing, he says, to cure by diet, rather than surgery. The day following, Clodius attacked Milo's house, with sword in hand, and lighted flambeaus, with intent to storm and burn it: but Milo was never unprovided for him: and Q. Flaccus, sallying out with a strong band of stout fellows, killed several of his men, and would have killed Clodius too, if he had not hid himself in the inner apartments of P. Sylla's house, which he made use of, on this occasion, as his fortress<sup>1</sup>.

The senate met, on the fourteenth, to take these disorders into consideration; Clodius did not think fit to appear there; but Sylla came, to clear himself, probably, from the suspicion of encouraging him in these violences, on account of the freedom which he had taken with his house<sup>2</sup>. Many severe speeches were made, and vigorous counsels proposed. Marcellinus's opinion was, that Clodius should be impeached anew for these last outrages; and that no election of ædiles should be suffered, till he was brought to a trial: Milo declared, that as long as he continued in office, the consul Metellus should make no election, for he would take the auspices every day.

A. Urb. 696. Clc. 50. Com.—P. Corn. Lentul. Spinther. Q. Cæc. Metel. Nepos.

it was called, or declaring, that he was taking the auspices on that day; so that the three brothers were baffled and disappointed, though they were perpetually haranguing and labouring to inflame the people against those, who interrupted their assemblies and right of electing; where Metellus's speeches were turbulent, Appius's rash, Clodius's furious. Cicero, who gives this account to Atticus, was of opinion, that there would be no election; and that Clodius would be brought to trial, if he was not first killed by Milo, which was likely to be his fate: "Milo," says he, "makes no scruple to own it; being not deterred by my misfortune, and having no envious or perfidious counsellors about him, nor any lazy nobles to discourage him: it is commonly given out, by the other side, that what he does, is all done by my advice; but they little know, how much conduct, as well as courage, there is in this hero<sup>1</sup>."

Young Lentulus, the son of the consul, was, by the interest of his father, and the recommendation of his noble birth, chosen into the college of augurs this summer, though not yet seventeen years old; having but just changed his puerile for the manly gown<sup>2</sup>: Cicero was invited to the inauguration feast, where, by eating too freely of some vegetables, which happened to please his palate, he was seized with a violent pain of the bowels, and diarrhoea; of which he sends the following account to his friend Gallus:—

"CICERO TO GALLUS.

"AFTER I had been labouring for ten days, with a cruel disorder in my bowels, yet could not convince those who wanted me at the bar, that I was ill, because I had no fever, I ran away to Tusculum: having kept so strict a fast for two days before, that I did not taste so much as water: being worn out, therefore, with illness and fasting, I wanted rather to see you, than imagined that you expected a visit from me: for my part, I am afraid, I confess, of all distempers; but especially of

<sup>1</sup> Egregius Marcellinus, omnes acres; Metellus calumnia dicendi tempus exemit: conciones turbulentæ Metelli, temerariæ Appii, furiosissimæ Clodii; hæc tamen summa, nisi Milo in Campum obnunciasset, comitia futura.—Comitia fore non arbitror; reum Publium, nisi ante occisus erit, fore a Milone puto. Si se inter viam obtulerit, occisum iri ab ipso Milone video. Non dubitat facere; præ se fert; casum illum nostrum non extimescit, &c.

Meo consilio omnia illi fieri querebantur, ignari quantum in illo heroe esset animi, quantum etiam consilii. Ad Att. 4. 3.

N.B. From these facts, it appears, that what is said above, of Clodius's repealing the Ælian and Fusian laws, and prohibiting the magistrates from obstructing the assemblies of the people, is to be understood only in a partial sense, and that his new law extended no farther, than to hinder the magistrates from dissolving an assembly, after it was actually convened, and had entered upon business: for it was still unlawful, we see, to convene an assembly, while the magistrate was in the act of observing the heavens.

<sup>2</sup> Cui superior annus idem et virilem patris et prætextam populi judicio togam dederit. Pro Sext. 69. it. Dio, l. 39. p. 99.

## OF CICERO.

*L. Vrb. 696. Cic. 50. Cato.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.*

secured the vote of the senate: the opportunity of a command, almost in sight of Egypt, made him generally thought to have the best pretensions to that charge, and he was assured of Cicero's warm assistance, in soliciting the confirmation of it.

In this situation of affairs, the new tribunes entered the scene; C. Cato, of the same family with his namesake M. Cato, was one of the number; a bold, turbulent man, of no great prudence, yet a tolerable speaker, and generally a moderate side in politics. Before he had borne any public office, he attempted to impeach Gabinius of bribery and corruption, but not being able to get an audience of the prætors, he resorted to the hardness to mount the rostra, which was never allowed to a private citizen, and, in a speech to the people, declared Pompey dictator: but his presumption had like to have proved dear; for it raised such an indignation in the audience, that he had much difficulty to escape with his life<sup>1</sup>. He renewed his present magistracy, by declaring loudly against Ptolemy, and all who favoured him; especially Lucius Calpurnius, whom he supposed to be under some private engagement with him, and, for that reason, was determined to baffle all their schemes.

Lupus, likewise, one of his colleagues, summoned the senate, and raised an expectation of some uncommon proposal from him: it was indeed of an extraordinary nature;—to revise and annul that famed act of Cæsar's consulship, for the division of the Campanian lands: he spoke long and well upon it, and was heard with much attention; gave great praises to Cicero, with severe reflections on Cæsar, and expostulations with Pompey, who was now abroad, in the execution of his late commission. In the conclusion he told them, that he would not demand the opinions of the particular senators, because he had no mind to expose them to the resentment and animosity of any; but from the ill humour, which he remembered, when that act first passed, and the favour with which he was now regarded, he could easily collect the sense of the house. Upon which Marcellinus said, that he must not conclude from their silence, either what they liked or disliked: that for his own part, and he might answer too, he believed, for the rest, he chose to say nothing on the subject at present, because he thought that the cause of the Campanian lands ought not to be brought upon the stage in Pompey's absence.

<sup>1</sup> *Ut Cato, adolescens nullius consilii,—vix vivus effugeret; quod cum Gabinium de nobilitate vellet postulare, neque prætores diebus aliquot adiri possent, vel potestatem sui cernerent, in concionem ascendit, et Pompeium privatus dictatorem appellavit. Propter hoc est factum, quum ut occideretur. Ep. ad Quint. Frat. 1. 2.*

A. Urb. 606. Cic. 50. Cons.—P. Corn. Lentul. Spinther. Q. Cinc. Metel. Nepos.

This affair being dropped, Racilius, another tribune, rose up and renewed the debate about Milo's impeachment of Clodius, and called upon Marcellinus, the consul elect, to give his opinion upon it; who, after inveighing against all the violences of Clodius, proposed, that, in the first place, an allotment of judges should be made for the trial; and after that, the election of ædiles; and if any one attempted to hinder the trial, that he should be deemed a public enemy. The other consul elect, Philippus, was of the same mind; but the tribunes, Cato and Cassius, spoke against it, and were for proceeding to an election before any step towards a trial. When Cicero was called upon to speak, he run through the whole series of Clodius's extravagances, as if he had been accusing him already at the bar, to the great satisfaction of the assembly: Antistius, the tribune, seconded him, and declared, that no business should be done before the trial; and when the house was going universally into that opinion, Clodius began to speak, with intent to waste the rest of the day, while his slaves and followers without, who had seized the steps and avenues of the senate, raised so great a noise of a sudden, in abusing some of Milo's friends, that the senate broke up in no small hurry, and with fresh indignation, at this new insult<sup>1</sup>.

There was no more business done through the remaining part of December, which was taken up, chiefly, with holydays. Lentulus and Metellus, whose consulship expired with the year, set forward for their several governments; the one for Cilicia, the other for Spain: Lentulus committed the whole direction of his affairs to Cicero, and Metellus, unwilling to

A. Urb. 697. Clæ. 51. Cæsar.—On. Cæsar. Lent. Marcellinus. L. Mar. Philippus.

chanced to find in them certain verses, forewarning the Roman people not to replace an exiled king of Egypt with an army. This was so put to his purpose, that there could be no doubt of its being forged; but Cato called up the guardians of the books into the rostra, to testify the passage to be genuine; where it was publicly read and explained to the people: it was laid also before the senate, who greedily received it; and, after a grave debate on this scruple of religion, came to a resolution, that it seemed dangerous to the republic, that the king should be restored by a multitude<sup>1</sup>. It cannot be imagined, that they laid any real stress on this admonition of the Sibyl, for there was not a man either in or out of the house, who did not take it for a fiction: but it was a fair pretext for defeating a project, which was generally disliked: they were unwilling to gratify any man's ambition, of visiting the rich country of Egypt, at the head of an army; and persuaded, that without an army no man would be solicitous about going thither at all<sup>2</sup>.

This point being settled, the next question was, in what manner the king should be restored: various opinions were proposed; Crassus moved, that three ambassadors, chosen from those who had some public command, should be sent on the errand; which did not exclude Pompey: Bibulus proposed that three private senators, and Volcatius, that Pompey alone should be charged with it: but Cicero, Hortensius, and Lucullus urged, that Lentulus, to whom the senate had already decreed it, and who could execute it with most convenience, should restore him without an army. The two first opinions were soon over-ruled, and the struggle lay between Lentulus and Pompey. Cicero, though he had some reason to complain of Lentulus, since his return, particularly for the contemptible valuation of his houses, yet for the great part which he had borne, in restoring him, was very desirous to shew his gratitude, and resolved to support him with all his authority. Pompey, who had obligations also to Lentulus, acted the same part towards him, which he had done before towards Cicero. By his own conduct and professions, he seemed to have Lentulus's interest at heart; yet, by the conduct of all his friends, seemed desirous to procure the employment for himself; while the king's agents and creditors, fancying that their business

<sup>1</sup> Senatus religionis calumniam, non religionem, sed malevolentiam, et illius regis largitionis invidia comprobatur. Ep. Fam. 1. 1.

De Rege Alexandrino factum est S. C. cum multitudine eum reduci, periculum Reipub. videri. Ad Quint. Fr. 2. 2.

<sup>2</sup> Hæc tamen opinio est populi Romani, a tuis invidia atque obrectationibus nomen inductum factæ religionis, non tam ut te impedirent, quam ut nequis, propter exercitum cupiditatem, Alexandriam vellet ire. Ep. Fam. 1. 4.

A. Urb. 697. C'ic. 51. Cons.—Cn. Corn. Lent. Marcellinus. L. Mar. Philipp.

would be served the most effectually by Pompey, began open to solicit, and even to bribe for him<sup>1</sup>. But the senate, through Cicero's influence, stood generally inclined to Lentulus; and after a debate, which ended in his favour, Cicero, who had been the manager of it, happening to sup with Pompey the evening, took occasion to press him, with much freedom, not to suffer his name to be used in this competition, nor give handle to his enemies, for reproaching him with the deserting of a friend, as well as an ambition of engrossing all power to himself. Pompey seemed touched with the remonstrance, and professed to have no other thought, but of serving Lentulus. While his dependents still acted so, as to convince every body that he could not be sincere<sup>1</sup>.

When Lentulus's pretensions seemed to be in a hopeful way, C. Cato took a new and effectual method to disappoint them, by proposing a law to the people, for taking away his government, and recalling him home. This stroke surprised every body; the senate condemned it as factious; and Lentulus's son changed his habit upon it, in order to move the citizens, and hinder their offering such an affront to his father. The tribune, Caninius, proposed another law, at the same time, for sending Pompey to Egypt: but this pleased no better than the other; and the consuls contrived, that neither of them should be brought to the suffrage of the people<sup>1</sup>. These new contests gave a fresh interruption to Ptolemy's cause; in which Cicero's resolution was, if the commission could not be obtained for Lentulus, to prevent its being

<sup>1</sup> Crassus tres legatos decernit, nec excludit Pompeium: censet enim etiam ex iis, qui cum imperio sunt. M. Bibulus tres legatos ex iis, qui privati sunt. Huic assentiuntur reliqui consules, præter Servilium, qui omnino reduci negat oportere, et Volcatium qui deprecatur Lentulum.

## OF CICERO.

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anted at least to Pompey, and save themselves the disgrace of being baffled by a competitor<sup>1</sup>; but the senate was sick of the whole affair, that they resolved to leave the shift for himself, without interposing at all in his matter; so the matter hung; whilst other affairs, more interesting, were daily rising up at home, and engaging the attention of the city.

The election of ædiles, which had been industriously postponed through all the last summer, could not easily be kept any longer: the city was impatient for its magistrates; and especially for the plays and shows with which they used to entertain them; and several also of the new tribunes being anxious for an election, it was held, at last, on the twentieth of January, when Clodius was chosen ædile, without any opposition; so that Cicero began once more to put himself upon his guard, from the certain expectation of a furious ædileship.

It may justly seem strange, how a man, so profligate and criminal as Clodius, whose life was a perpetual insult on all laws, Divine and human, should be suffered not only to live without punishment, but to obtain all the honours of a free citizen in their proper course; and it would be natural to suspect, that we had been deceived in our accounts of him, by taking them from his enemies, did we not find them too firmly supported by facts to be called in question; but a little attention to the particular character of the man, as well as of the times in which he lived, will enable us to solve the difficulty. First, the splendour of his family, which had borne a principal share in all the triumphs of the Republic, from the very foundation of a liberty, was of great force to protect him in all his extravagances. Those, who know any thing of Rome, know what a strong impression this single circumstance of illustrious nobility would necessarily make upon the people. Cicero calls the nobles of this class, prætors and consuls elect from their cradles, by a kind of hereditary right, whose very names were sufficient to advance them to all the dignities of the state<sup>2</sup>. Secondly, his personal qualities were peculiarly adapted to endear him to all the meaner sort: his bold and ready wit; his talent at arranging; his profuse expense; and his being the first of

<sup>1</sup> Sed vereor ne aut eripiat nobis causa regia, aut deseratur. Sed si res coget, est videndum tertium, quod non—mihi displicebat; ut neque jacere Regem pateremur, nec nobis repugnantibus, ad eum deferri, ad quem prope jam delatum videtur. Ne, si quid am obtinerimus, repulsi esse videamur. Ep. Fam. 1. 5.

omnia sunt tardiora propter furiosam ædilitatis expectationem. Ad Quint. 2. 2.  
<sup>2</sup> Idem mihi hec, quod his, qui nobili genere nati sunt, quibus omnia populi Romani officia dormientibus deferuntur. In Verr. 5. 70.

Est nobilitate ipse, blanda conciliatrix commendatus.—Omnes semper boni nobilitati favemus, &c. Pro Sext. 9.

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his family who had pursued popular measures, against the maxims of his ancestors, who were all stern assertors of the aristocratical power. Thirdly, the contrast of opposite factions, who had each their ends in supporting him, contributed principally to his safety; the triumvirate willingly permitted, and privately encouraged, his violences, to make their own power not only the less odious, but even necessary, for controlling the fury of such an incendiary; and though it was often turned against themselves, yet they chose to bear it, and dissemble their ability of repelling it, rather than destroy the man who was playing their game for them, and, by throwing the Republic into confusion, throwing it of course into their hands: the senate, on the other side, whose chief apprehensions were from the triumvirate, thought, that the rashness of Clodius might be of some use to perplex their measures, and to stir up the people against them on proper occasions; or it humoured their spleen, at least, to see him often insulting Pompey to his face<sup>1</sup>. Lastly, all who envied Cicero, and desired to lessen his authority, privately cherished an enemy, who employed all his force to drive him from the administration of affairs. This accidental concurrence of circumstances, peculiar to the man and the times, was the thing that preserved Clodius, whose insolence could never have been endured in any quiet and regular state of the city.

By his obtaining the ædileship, the tables were turned between him and Milo; the one was armed with the authority of a magistrate, the other became a private man; the one freed

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continual clamour of reproaches and invectives, endeavoured to hinder him from going on, or at least from being hindered. Pompey was too firm, to be so baffled; and sustained three hours, with a presence of mind, which produced silence, in spite of their attempts. When Clodius answered him, Milo's party, in their turn, so distounded him, that he was not able to speak a word. A number of epigrams and lampoons upon him were thrown about, and publicly rehearsed among the multitude below, so as to make him quite furious: till that he found himself a little, and finding it impossible to proceed in his speech, he demanded aloud, who it was that tempted to starve them by their clamour. When they cried out, Pompey: he then asked, who it was that should be sent to Egypt? They all echoed Pompey: but when he asked, who it was, that they themselves had a mind to send? They answered, Crassus; for the old jealousy was again kindling out between him and Pompey; and appeared that day on Milo's side, yet he was not, in reality, a real well-wisher to him.

These warm proceedings among the chiefs, brought a great fray below, among their partizans; the Clodians began to attack, but were repulsed by the Pompeians; and Clodius himself driven out of the rostra: Cicero, when he saw the affair proceed to blows, thought it high time to retreat, and make the best of his way towards home: but no great harm was done, for Pompey, having cleared the Forum of his enemies, presently drew off his forces, to prevent any farther mischief or scandal from his side<sup>1</sup>.

The senate was presently summoned, to provide some remedy for these disorders; where Pompey, who had drawn upon himself a fresh envy from his behaviour in the Egyptian affair, was severely handled by Bibulus, Curio, Favonius, and

<sup>1</sup> Ad diem IIII. Non. Febr. Milo affuit. Ei Pompeius advocatus venit. Dixit Marcellus a me rogatus. Honestè discessimus. Productus dies est in IIII. Id. Feb. A.D. IIII. Id. Milo affuit. Dixit Pompeius, sive voluit. Nam ut surrexit, operæ Clodianæ clamorem sustulerunt: idque ei perpetua oratione contigit, non modo ut acclamatione, sed ut convicio et maledictis impediretur. Qui ut peroravit, nam in eo sane fortis fuit, non est deterritus, dixit omnia, atque interdum etiam silentio, cum auctoritate peregerat: sed ut peroravit, surrexit Clodius, ei tantus clamor a nostris, placentat enim referre gratiam, ut neque mente, neque lingua, neque ore consisteret. Cum omnia maledicta, tum versus etiam obscenissimi in Clodium et Clodium dicerentur. Ille furens et exsanguis interrogabat suos in clamore ipso, quis esset, qui plebem fame necaret? Respondebant operæ, Pompeius. Quis Alexandriam ire cuperet? Respondebant, Pompeius. Quem ire vellent? Respondebant, Crassum. Is aderat tum Miloni animo non amico.

Hora fere nona, quasi signo dato, Clodiani nostros consputare ceperunt. Exarsit dolor, urgere illi ut loco nos moverent. Factus est a nostris impetus, fuga operarum. Ejectus de Rostris Clodius. Ac nos quoque tum fugimus, nequid in turba.—Senatus vocatus in Curiam, Pompeius domum. Ad Quint. Fr. 2. 3.

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others; Cicero chose to be absent, since he must either have offended Pompey, by saying nothing for him, or the honest party, by defending him. The same debate was carried on for several days, in which Pompey was treated very roughly by the tribune Cato; who inveighed against him with great fierceness, and laid open his perfidy to Cicero, to whom he paid the highest compliments, and was heard with much attention by all Pompey's enemies.

Pompey answered him, with an unusual vehemence; and reflecting openly on Crassus, as the author of these affronts, declared, that he would guard his life with more care, than Scipio Africanus did, when Carbo murdered him. These warm expressions seemed to open a prospect of some great agitation likely to ensue: Pompey consulted with Cicero on the proper means of his security; and acquainted him with his apprehensions of a design against his life; that Cato was privately supported, and Clodius furnished with money by Crassus; and both of them encouraged by Curio, Bibulus, and the rest, who envied him; that it was necessary for him to look to himself, since the meaner people were wholly alienated, the nobility and senate generally disaffected, and the youth corrupted. Cicero readily consented to join forces with him, and to summon their clients and friends from all parts of Italy; for though he had no mind to fight his battles in the senate, he was desirous to defend his person from all violence, especially against Crassus, whom he never loved: they resolved, likewise, to oppose, with united strength, all the attempts of Clodius and Cato, against Lentulus and Milo<sup>1</sup>. Clodius, on the other hand, was not less busy in mustering

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ing of May; from which time we find no farther mention of it.

The consul, Marcellinus, who drew his colleague along with him, was a resolute opposer of the trial, as well as of all the violences of the other magistrates. For this reason, he resolved to suffer no assemblies of the people except such as were necessary for the elections into offices: his view was to prevent Cato's law for recalling Lentulus, and the monstrous things, as Cicero calls them, some were attempting, at this time, in favour of Catiline. Cicero gives him the character of the best consul he had ever known, and blames him for being too lenient to Pompey, on all occasions, too lenient; which Cicero often absent himself from the senate, to avoid a party, either on the one side or the other<sup>1</sup>. For the support, therefore, of his dignity and interest in the city, he resorted to his old task of pleading causes; which was always popular, reputable, and in which he was sure to find full employment. His first cause was the defence of L. Bestia, on the 10th of February, who, after the disgrace of a repulse from the consulship, in the last election, was accused of bribery and corruption in his suit for it; and notwithstanding the authority and eloquence of his advocate, was convicted and banished. He was a man extremely corrupt, turbulent, and seditious; had always been an enemy to Cicero; and supposed to be deeply engaged in Catiline's plot; and is one instance of the truth of what Cicero says, that he was often forced, against his will, to defend certain persons, who had not deserved it of him, by the intercession of those who had<sup>2</sup>.

Cæsar, who was now in the career of his victories in Gaul, sent a request to the senate, that money might be decreed to him for the payment of his army, with a power of choosing new lieutenants, for the better management of the war, and for the conquered provinces; and that his command should be prolonged for five years more. The demand was thought very exorbitant; and it seemed strange, that, after all his boasted conquests, he should not be able to maintain his army without money from home, at a time when the treasury was

<sup>1</sup> Consul est egregius Lentulus, non impediens Collega, sic inquam bonus, ut meliorem non viderim. Dies comitiales exenit omnes.—Sic legibus perniciosissimis obstat, maximo Catonis. Nunc igitur Catonem Lentulus a legibus removet, et eos, qui e Cæsare monstra promulgarunt.—Marcellinus autem hoc uno mihi minus satisfacit, quod cum nimis aspere tractat, quanquam id Senatu non invito facit: quo ego me libentius a Coria, et ab omni parte Reip. subtraho. Ad Quint. 26.

<sup>2</sup> A. D. III. Id. dixi pro Bestia de ambitu apud Prætores Cn. Domitium, in Foro Neptie, maximo conventu. Ibid. 2. 3.

Cogor nonnunquam homines non optime de me meritos, rogatu eorum qui bene meriti sunt, defendere. Ep. Fam. 7. 1. Vid. Philip. XI. 5. Sallust 17. 43. Plot. in Cic.

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greatly exhausted; and the renewal of a commission, obtained at first by violence, and against the authority of the senate, was of hard digestion. But Caesar's interest prevailed, and Cicero himself was the promoter of it, and procured a decree to his satisfaction; yet, not without disgusting the old patriots, who stood firm to their maxim of opposing all extraordinary grants: but Cicero alleged the extraordinary services of Caesar, and that the course of his victories ought not to be checked by the want of necessary supplies, while he was so gloriously extending the bounds of the empire, and conquering nations, whose names had never been heard before at Rome: and though it were possible for him to maintain his troops without their help, by the spoils of the enemy, yet those spoils ought to be reserved for the splendour of his triumph, which it was not just to defraud by their unreasonable parsimony<sup>1</sup>.

He might think it imprudent, perhaps, at this time, to call Caesar home from an unfinished war, and stop the progress of his arms in the very height of his success; yet the real motive of his conduct seems to have flowed, not so much from the merits of the cause, as a regard to the condition of the times, and his own circumstances. For, in his private letters, he owns, That the malevolence and envy of the aristocratical chiefs had almost driven him from his old principles, and, though not so far as to make him forget his dignity, yet so as to take a proper care of his safety, both which might be easily consistent, if there was any faith or gravity in the consular senators: but they had managed their matters so ill, that those who were superior to them in power, were become superior

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ment was quite changed; and what he had proposed to himself as the end of all his toils, a dignity and liberty of acting, was quite lost and gone: that there was nothing but either meanly to assent to the few, who governed all; or boldly to oppose them, without doing any good: that he dropped, therefore, all thoughts of that old consular grand character of a resolute senator, and resolved to conform himself to Pompey's will; that his great affection to Pompey made him begin to think all things right, which were right to him; and he comforted himself with reflecting, that the greatness of his obligations would make all the world forgive him, for defending what Pompey liked, or, at least, for proposing it; or else, what of all things he most desired, if friendship with Pompey would permit him, for retiring from public business, and giving himself wholly up to his private.

As he was now engaged in a cause, in which he was personally and specially interested, the defence of P. Sextius, a plebeian tribune. Clodius, who gave Cicero's friends no respite, having himself undertaken Milo, assigned the prosecution of Sextius to one of his confidants, M. Tullius Albino, who accused him of public violence, or breach of peace, as a tribune<sup>1</sup>. Sextius had been a true friend to Cicero in his distress; and borne a great part in his restoration; but in cases of eminent service, conferred jointly by many, one is apt to claim the first merit, and expect the first share of praise: so Sextius, naturally morose, fancying himself slighted, or not sufficiently requited by Cicero, had behaved churlishly towards him since his return; but Cicero, who was ever forgetful of past kindnesses, instead of resenting the perverseness, having heard that Sextius was indisposed, went in person to his house, and cured him of all his jealousies, by offering his assistance and patronage in pleading his cause.

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nam enim animi inductio et mehercule amor erga Pompeium apud me valet, illi utilia sunt, et quæ ille vult, ea mihi omnia jam et recta et vera videantur—item illa res consolatur, quod ego is sum, cui vel maxime concedant omnes, ut defendam, quæ Pompeius velit, vel taceam, vel etiam, id quod mihi maxime in nostra me studia referam litterarum, quod profecto faciam, si mihi per ejusdem mihi licebit.

nam proposita fuerant nobis, cum et honoribus amplissimis, et laboribus maxime juncti essemus, dignitas in sententiis dicendis, libertas in Rep. capessenda; ea tota: sed nec mihi magis, quam omnibus. Nam aut assentiendum est nulla cum paucis, aut frustra dissentiendum. Ibid. 8.

cum omnibus salutis meæ defensoribus bellum sibi esse gerendum judicaverunt. Ibid. 2.

erat ager: domum, ut debuimus, ad eum statim venimus; eique nos totos tradimus: idque fecimus præter hominum opinionem, qui nos si jure succensere putarent, humanissimi gratissimique et ipsi et omnibus videremur: itaque faciemus. Ad Ibid. 3.

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This was a disappointment to the prosecutors; who flattered themselves, that Cicero was so much disgusted, that he would not be persuaded to plead for him; but he entered into the cause with a hearty inclination, and made it, as in effect it really was, his own<sup>1</sup>. In his speech, which is still extant after laying open the history of his exile, and the motives of his own conduct, through the whole progress of it, he showed that the only ground of prosecuting Sextius was, his faithful adherence to him, or rather to the Republic; that, by condemning Sextius, they would, in effect, condemn him, whom all the orders of the city had declared to be unjustly expelled; by the very same men, who were now attempting to expel Sextius: that it was a banter and ridicule on justice itself, to accuse a man of violence, who had been left for dead upon the spot, by the violence of those who accused him: and whose only crime was, that he would not suffer himself to be quite killed, but presumed to guard his life against their future attempts. In short, he managed the cause so well, that Sextius was acquitted, and in a manner the most honourable, by the unanimous suffrages of all the judges; and with the universal applause of Cicero's humanity and gratitude<sup>2</sup>.

Pompey attended this trial as a friend to Sextius: while Cæsar's creature, Vatinius, appeared not only as an adversary, but a witness against him: which gave Cicero an opportunity of lashing him, as Sextius particularly desired, with all the keenness of his raillery, to the great diversion of the audience; for, instead of interrogating him in the ordinary way, about the facts deposed in the trial, he contrived to tease him with a

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negation, and is nothing else but what Cicero himself calls a perpetual invective on the magistracy of Vatinius, and conduct of those who supported him<sup>1</sup>.

In the beginning of April, the senate granted the sum of one hundred thousand pounds to Pompey, to be laid out in purchasing corn for the use of the city; where there was still great scarcity, and as great, at the same time, of money: so the moving a point so tender, could not fail of raising the ill humour in the assembly; when Cicero, whose old spirit seems to have revived in him, from his late success in Cæsar's cause, surprised them, by proposing, that, in the present inability of the treasury to purchase the Campanian lands, which, by Cæsar's act, were to be divided to the people, that act itself should be reconsidered, and a day appointed for its deliberation. The motion was received with an universal joy, and a kind of tumultuary acclamation. The enemies of the triumvirate were extremely pleased with it, in hopes that it would make a breach between Cicero and Pompey; but it served only for a proof of what Cicero himself observes, that it was very hard for a man to depart from his old sentiments in politics, when they are right and just<sup>2</sup>.

Pompey, whose nature was singularly reserved, expressed uneasiness upon it, nor took any notice of it to Cicero, though they met and supped together familiarly, as they used to do: but he set forward soon after towards Afric, in order to provide corn; and intending to call at Sardinia, proposed to embark at Pisa, or Leghorn, that he might have an interview with Cæsar, who was now at Luca, the utmost limit of the Gallic government. He found Cæsar exceedingly out of humour with Cicero: for Crassus had already been with him

at Ravenna, and greatly incensed him by his account of Cicero's late motion; which he complained of so heavily, that Pompey promised to use all his authority to induce Cicero to stop the pursuit of it; and, for that purpose, sent away an express to Rome, to intreat him not to proceed any further in till his return; and, when he came afterwards to Sardinia,

<sup>1</sup> Vatinius, a quo palam oppugnabatur, arbitrato nostro concidimus, Diis hominibusque placentibus. Quid queris? Homo petulans, et audax Vatinius valde perturbatus, debilitatusque discessit. Ad Quint. 2. 4.

<sup>2</sup> Ipse sedens Pompeio, cum ut laudaret P. Sextium intrasset in urbem dixissetque de Vatinius, me fortuna et felicitate C. Cæsaris commotum, illi amicum esse coepisse; et me cum Bibuli fortunam, quam ille afflictam putaret, omnium triumphis victoriisque præferre. Tota vero interrogatio mea nihil habuit, nisi reprehensionem illius Tribunæ: in quo omnia dicta sunt libertate, animoque maximo. Ep. Fam. 1. 9.

Pompeio pecunia decreta in rem frumentariam ad H-S cccc. sed eodem die vehementer actum de agro Campano, clamore Senatus prope concionali. Acriorem causam pro pecunie faciebat, et annonæ caritas. Ad Quint. 2. 5.

Senatus April. mihi est. Senatus assensus, ut de agro Campano, idibus Maiis, frequenti consilio referretur. Num potui magis in arcem illius causæ invadere. Ep. Fam. 1. 9.

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where his lieutenant, Q. Cicero, then resided, he entered immediately into an expostulation with him about it, recounting all his services to his brother, and that every thing, which he had done for him, was done with Cæsar's consent; and reminding him of a former conversation between themselves, concerning Cæsar's acts, and what Quintus himself had undertaken for his brother on that head; and, as he then made himself answerable for him, so he was now obliged to call him to the performance of those engagements: in short, he begged him to press his brother to support and defend Cæsar's interests and dignity, or, if he could not persuade him to that, to engage him at least not to act against them<sup>1</sup>.

This remonstrance from Pompey, enforced by his brother Quintus, staggered Cicero's resolution, and made him enter into a fresh deliberation with himself, about the measures of his conduct; where, after casting up the sum of all his thoughts, and weighing every circumstance, which concerned either his own or the public interest, he determined at last to drop the affair, rather than expose himself again, in his present situation, to the animosity of Pompey and Cæsar; for which he makes the following apology to his friend Lentulus: that those, who professed the same principles, and were embarked in the same cause with him, were perpetually envying and thwarting him, and more disgusted by the splendour of his life, than pleased with any thing which he did for the public service: that their only pleasure, and what they could not even dissemble, while he was acting with them, was to see him disoblige Pompey, and make Cæsar his enemy: when they at the

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them both; he had no reason to apprehend the charge of inconstancy, if, on some occasions, he voted and acted a little differently from what he used to do, in complaisance to such a friend: that his union with Pompey necessarily included Caesar, with whom both he and his brother had a friendship of long standing; which they were invited to renew, by the manner of civilities and good offices, freely offered on Caesar's part: that, after Caesar's great exploits and victories, the Republic itself seemed to interpose, and forbid him to quarrel with such men: that when he stood in need of their assistance, his brother had engaged his word for him to Pompey, and Pompey to Caesar; and he thought himself obliged to make good those engagements<sup>1</sup>.

This was the general state of his political behaviour: he had a much larger view, a more comprehensive knowledge both of men and things, than the other chiefs of the aristocracy, Cæcilius, Marcellinus, Cato, Favonius, &c. whose stiffness had ruined their cause, and brought them into their present subjection, by alienating Pompey and the equestrian order from the senate: they considered Cicero's management of the triumvirate, as a mean submission to illegal power, which they were always opposing and irritating, though ever so unreasonably; whereas Cicero thought it time to give over fighting, when the forces were so unequal; and that the more patiently they suffered the dominion of their new masters, the more temperately they would use it<sup>2</sup>; being persuaded that Pompey, at least, who was the head of them, had no designs against the public liberty, unless he were provoked and driven to it by the perverse opposition of his enemies<sup>3</sup>. These were the grounds of that complaisance which he now generally paid to him, for the sake both of his own and the public quiet: in consequence of which, when the appointed day came for consi-

<sup>1</sup> Qui cum illa sentirent in Repub. quæ ego agebam, semperque sensissent: me tamen non satisfacere Pompeio, Cæsaremque inimicissimum mihi futurum, gaudere se aiebant: ac mihi dolendum, sed illud multo magis, quod inimicum meum—sic amplexabantur—sic me presente oculabantur.—Ego si ab improbis et perditis civibus Repub. teneri iderem—non modo premiis—sed ne periculis quidem ullis compulsus—ad eorum meam me adjungerem; ne si summa quidem eorum in me merita constarent. Cum item in Repub. Cn. Pompeius princeps esset—meumque inimicum unum in Civitate haberet inimicum, non putavi famam inconstantie mihi pertinereendam, si quibusdam contentis paullum me inmutassem, meamque voluntatem ad summi viri, de meo merito, dignitatem aggregassem, &c. Gravissime autem me in hac mente implevit, et Pompeii fides, quam de me Cæsari dederat, et Fratris mei, quam Pompeio. *Id. Fam. 1. 9.*

<sup>2</sup> Neque, ut ego arbitror, errarent, si cum pares esse non possent, pugnare desisterent. Commutata tota ratio est Senatus, judiciorum, Rei totius publicæ. Otium nobis exoptandum est; quod si, qui potiuntur rerum, prestitum videntur, si quidam homines patientes eorum potentiam ferre potuerint. Dignitatem quidem illam consularem fortis et instantis senatoria, nihil est, quod cogitemus. Amusa est culpa eorum, qui a senatu et religionem conjunctissimum, et hominem clarissimum abalienarunt. *Ibid. 8.*

<sup>3</sup> *Ibid. 1. 9.*

A. Urb. 697. Cn. Cl. Cos. Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

dering the case of the Campanian lands, the debate dropped of course, when it was understood, that Cicero, the mover of it, was absent and had changed his mind: though it was not, as he intimates, without some struggle in his own breast, that he submitted to this step, which was likely to draw upon him an imputation of levity<sup>1</sup>.

His daughter, Tullia, having now lived a widow about a year, was married to a second husband, Furius Crassipes; and the wedding feast held at Cicero's house on the 6th of April: we find very little said of the character or condition of this Crassipes; but by Cicero's care in making the match, the fortune which he paid, and the congratulation of his friends upon it, he appears to have been a nobleman of principal rank and dignity<sup>2</sup>. Atticus, also, who was about a year younger than Cicero, was married this spring to Pilia, and invited him to the wedding<sup>3</sup>. As to his domestic affairs, his chief care, at present, was about rebuilding three of his houses, which were demolished in his exile; and repairing the rest, with that also of his brother, out of which they were driven in the last attack of Clodius: by the hints, which he gives of them, they all seem to have been very magnificent, and built under the direction of the best architects: Clodius gave no farther interruption to them, being forced to quit the pursuit of Cicero, in order to watch the motions of a more dangerous enemy, Milo. Cicero, however, was not without a share of uneasiness, within his own walls; his brother's wife and his own neither agreed well with each other, nor their own husbands: Quintus's was

*De Officiis*. Lib. 3. Cap. 51. Com.—Ca. Corn. Lent. Marcellinus. L. Mar. Philippus.

King Ptolemy's affair was no more talked of; Pompey had his business upon his hands, and was so ruffled by the tribune Cato, and the consul Marcellinus, that he laid aside all thoughts of it for himself, and wished to serve Lentulus in it. The senate had passed a vote against restoring him at all; but one of the tribunes inhibited them from proceeding to a decree; and a former decree was actually subsisting in favour of Lentulus: Cicero, therefore, after a consultation with Pompey, sent him their joint and last advice; that, by his command of a province, so near to Egypt, as he was the best judge of what he was able to do, so if he found himself master of the king, and was assured of success, he might leave the king at Ptolemais, or some other neighbouring city, and proceed without him to Alexandria; where, if, by the influence of his feet and troops, he could appease the public dissensions, and persuade the inhabitants to receive their king peaceably, he might then carry him home, and so restore him according to the first decree; yet, without a multitude, as our religious men, says he, tell us the Sibyl has enjoined:—that it was the opinion however, of them both, that people would judge of the fact by the event: if he was certain, therefore, of carrying his point, he should not defer it; if doubtful, should not undertake it: for, as the world would applaud him if he effected it with ease, so a miscarriage might be fatal, on account of the late vote of the senate, and the scruple about religion<sup>1</sup>. But Lentulus, wisely judging the affair too hazardous for one of his dignity and fortunes, left it to a man of a more desperate character, Gabinius; who ruined himself soon after by embarking in it.

The tribune Cato, who was perpetually inveighing against keeping gladiators, like so many standing armies, to the terror of the citizens, had lately bought a band of them, but finding himself unable to maintain them, was contriving to part with them again without noise or scandal. Milo got notice of it, and privately employed a person, not one of his own friends, to buy them; and when they were purchased, Racilius, another tribune, taking the matter upon himself, and pretending that

habuit et perhumanum de discordiis mulierum nostrarum. Pomponia autem etiam de te quæstæ est. Ibid. 6

<sup>1</sup> Te perspicere posse, qui Ciliciam Cyprumque teneas, quid efficere et quid consequi possis, et, si res facultatem habitura videatur, ut Alexandriam atque Ægyptum tenere possis, esse et tuæ et nostri imperii dignitatis, Ptolemaide, aut aliquo propinquo loco rege collocato, te cum classe atque exercitu proficisci Alexandriam: ut cum eam pace, providique firmaris, Ptolemæus redent in regnum ita fore, ut per te restitatur, quemadmodum Senatus initio censuit; et sine multitudine reducatur, quemadmodum hominum religiosæ Sibyllæ placere dixerunt. Sed hæc sententia sic et illi et nobis probabatur, ut ex eventu homines de tuo consilio existimatores videremus.—Nos quidem hoc sentientes; si exploratum tibi sit, posse te regni illius potiri; non esse cunctandum: si dubium, non esse conandum, &c. Ep. Fam. 1. 7.

A. U. C. 697. C. M. Coss. Cn. Corn. Lent. Marcellinus. L. Mac. Philippus.  
 they were bought for him, published a proclamation, that Cato's family of gladiators was to be sold by auction; which gave no small diversion to the city<sup>1</sup>.

Milo's trial being put off to the fifth of May, Cicero took the benefit of a short vacation to make an excursion into the country to visit his estates and villas in different parts of Italy. He spent five days at Arpinum, whence he proceeded to his other houses at Pompeii and Cumæ; and stopped awhile, on his return, at Antium, where he had lately rebuilt his house, and was now disposing and ordering his library, by the direction of Tyrannio; the remains of which, he says, were more considerable than he expected from the late ruin. Atticus lent him two of his librarians to assist his own, in taking catalogues, and placing the books in order: which he calls the infusion of a soul into the body of his house<sup>2</sup>. During this tour, his old enemy, Gabinus, the proconsul of Syria, having gained some advantage in Judea, against Aristobulus, who had been dethroned by Pompey, and on that account, was raising troubles in the country, sent public letters to the senate to give an account of his victory, and to beg the decree of a thanksgiving for it. His friends took the opportunity of moving the affair in Cicero's absence, from whose authority they apprehended some obstruction; but the senate, in a full house, slighted his letters, and rejected his suit: an affront, which had never been offered before to any proconsul. Cicero was infinitely delighted with it; calls the resolution divine, and was doubly pleased for its being the free and genuine judgment of the senate, without any struggle or influence on

97. Cic. 51. *Coss.*—*Cn. Corn. Lent. Marcellinus.* *L. Mar. Philippus.*

about this time, in the neighbourhood of Rome : noises under ground, with clashing of arms; and on a hill, a little shrine of Juno, which stood on a table to the east, turned suddenly of itself, towards the north. Errors alarmed the city, and the senate consulted the *haruspices*, who were the public diviners or prophets of the time, trained in all the Tuscan discipline of interpreting portents; who gave the following answer in writing: supplications must be made to Jupiter, Saturn, Neptune and the other gods: that the solemn shows and plays negligently exhibited and polluted: sacred and reliques made profane: ambassadors killed, contrary to the law: faith and oaths disregarded: ancient and hidden rites carelessly performed and profaned;—That the gods give warning, lest, by the discord and dissension of the state, dangers and destruction should fall upon the senate and chiefs of the city; by which means the provinces fall under the power of a single person: their armies be with great loss ensue; and honours be heaped on the unworthy and disgraced'.——”

It may observe, from this answer, that the diviners were in the direction of those who endeavoured to apply the precepts of religion to the cure of their civil disorders: each interpreting it according to their own views: Clodius took handle from it of venting his spleen afresh against the senate and, calling the people together for that purpose, endeavoured to persuade them, that this divine admonition was particularly against him; and that the article of the neglected religious places referred to the case of his house; after a solemn consecration to religion, was rendered profane; charging all the displeasure of the gods to his account, who affected nothing less than a tyranny and oppression of their liberties<sup>2</sup>.

He made a reply to Clodius, the next day, in the senate; after a short and general invective upon his profligate conduct, he leaves him, he says, a devoted victim to Milo, who was to be given to them by Heaven, for the extinction of the plague, as Scipio was for the destruction of Carthage: he resists the prodigy to be one of the most extraordinary, that had ever been reported to the senate; but laughs at the idea of applying any part of it to him: since his house, he proves at large, was more solemnly cleared from any connection or relation to religion, than any other house in Rome,

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<sup>2</sup> *gum.* Manutii in *Orat. de Harusp. respons.* Dio, l. 39. p. 100.

A. U. C. 697 C. C. 51. Cons. Cn. Corn. Lent Marcellinus L. Mar. Philipp.

by the judgment of the priests, the senate, and all the orders of the city<sup>1</sup>. Then running through the several articles of the answer, he shews them all to tally so exactly with the notorious acts and impieties of Clodius's life, that they could not possibly be applied to any thing else—that, as to the sports, said to be negligently performed and polluted, it denoted the pollution of the Megalensian play; the most venerable and religious of all other shows; which Clodius himself, as ædile, exhibited in honour of the mother of the gods; where, when the magistrates and citizens were seated, to partake of the diversions, and the usual proclamation was made, to command all slaves to retire, a vast body of them, gathered from all parts of the city, by the order of Clodius, forced their way upon the stage, to the great terror of the assembly; where much mischief and bloodshed would have ensued, if the consul Marcellinus, by his firmness and presence of mind, had not quieted the tumult: and, in another representation of the same plays, the slaves, encouraged again by Clodius, were so audacious and successful, in a second irruption, that they drove the whole company out of the theatre, and possessed it entirely to themselves<sup>2</sup>: that, as to the profanation of sacred religious places, it could not be interpreted of any thing so aptly, as of what Clodius and his friends had done: for that, in the house of Q. Seius, which he had bought, after murdering the owner, there was a chapel and altars, which he had lately demolished: that L. Piso had destroyed a celebrated chapel of Diana, where all that neighbourhood, and some even

Oct. 697 Cic. 51. Cons.—Ca. Corn. Lent. Marcellus. L. Mar. Philippus.

to know; and with ceremonies, which no man ever pried at, but Clodius<sup>1</sup>. Then as to the warning, given by the gods, of dangers, likely to ensue from the dissensions of the principal citizens: that there was no man so particularly active, promoting those dissensions, as Clodius; who was perpetually inflaming one side or the other; now pursuing popular, now aristocratical measures: at one time a favourite of the people, at another of the senate; whose credit was wholly supported by their quarrels and animosities. He exhorts them, therefore, in the conclusion, to beware of falling into those series, of which the gods so evidently forewarned them: and to take care, especially, that the form of the Republic was not altered; since all civil contests between great and powerful citizens, must necessarily end, either in an universal destruction, or a tyranny of the conqueror: that the state was now in a tottering condition, that nothing could preserve it but civil concord: that there was no hope of its being better, while Clodius remained unpunished; and but one degree left to be worse, by being wholly ruined and enslaved; for the prevention of which, the gods had given them this remarkable admonition; for they were not to believe, what was sometimes represented on the stage, that any god ever descended from heaven to converse familiarly with men: but that these extraordinary sounds and agitations of the world, the air, the elements, were the only voice and speech, which Heaven made use of; that these admonished them of their danger, and pointed out the remedy; and that the gods, by intimating so freely the way of their safety, had shewn, how easy it would be to pacify them, by pacifying only their own animosities and disorders among themselves.

About the middle of the summer, and before the time of choosing new consuls, which was commonly in August, the senate began to deliberate on the provinces, which were to be assigned to them at the expiration of their office. The consular provinces, about which the debate singly turned, were the two Gauls, which Cæsar now held; Macedonia, which Piso; and Syria, which Gabinius possessed. All who spoke before Cicero, excepting Servilius, were for taking one or both the Gauls from Cæsar; which was what the senate generally desired; but when it came to Cicero's turn, he gladly laid hold on the occasion, to revenge himself on Piso and Gabinius, and exerted all his authority, to get them recalled with some marks of disgrace, and their governments assigned to the succeeding consuls; but as for Cæsar, his opinion was, that his command

<sup>1</sup> De Harusp. resp. 17, 18.

A. Urb. 697. Cic. 51. Cons.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

should be continued to him, till he had finished the war, which he was carrying on with such success, and settled the conquered countries. This gave no small offence; and the consul Philippus could not forbear interrupting and reminding him, that he had more reason to be angry with Cæsar than with Gabinus himself; since Cæsar was the author and raiser of all that storm, which had oppressed him. But Cicero replied, that, in this vote, he was not pursuing his private resentment, but the public good, which had reconciled him to Cæsar; and that he could not be an enemy to one, who was deserving so well of his country: that a year or two more would complete his conquests, and reduce all Gaul to a state of peaceful subjection: that the cause was widely different between Cæsar and the other two; that Cæsar's administration was beneficial, prosperous, glorious, to the Republic; theirs, scandalous, ignominious, hurtful to their subjects, and contemptible to their enemies. In short, he managed the debate so, that the senate came fully into his sentiments, and decreed the revocation of Piso and Gabinus'.

He was now likewise engaged in pleading two considerable causes at the bar; the one in defence of Cornelius Balbus, the other of M. Cælius. Balbus was a native of Gades, in Spain, of a splendid family in that city, who, for his fidelity and services to the Roman generals in that province, and especially in the Sertorian war, had the freedom of Rome conferred upon him by Pompey, in virtue of a law, which authorized him to grant it to as many as he thought proper. But Pompey's act was now called in question, as originally null and invalid.

A. Urb. 607. Cic. 51. Com.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

and Caesar; by whose favour he had acquired great wealth and power; being at this time general of the artillery to Cæsar, and the principal manager or steward of all his affairs. The judges gave sentence for him, and confirmed his right to the city; from which foundation he was raised afterwards, by Augustus, to the consulate itself: his nephew, also, young Balbus, who was made free with him, at the same time, obtained the honour of a triumph, for his victories over the Garamantes; and, as Pliny tells us, they were the only instances of foreigners, and adopted citizens, who had ever advanced themselves to either of those honours in Rome<sup>1</sup>.

Coelius, whom he next defended, was a young gentleman of equestrian rank, of great parts and accomplishments, trained under the discipline of Cicero himself; to whose care he was committed, by his father, upon his first introduction into the Forum: before he was of age to hold any magistracy, he had distinguished himself by two public impeachments; the one of C. Antonius, Cicero's colleague in the consulship, for conspiring against the state; the other of L. Atratinus, for bribery and corruption. Atratinus's son was now revenging his father's quarrel, and accused Coelius of public violence, for being concerned in the assassination of Dio, the chief of the Alexandrian embassy; and of an attempt to poison Clodia, the sister of Clodius: he had been this lady's gallant; whose resentment, for her favours slighted by him, was the real source of all his trouble. In this speech Cicero treats the character and gallantries of Clodia, her commerce with Coelius, and the gaieties and licentiousness of youth, with such a vivacity of wit and humour, that makes it one of the most entertaining, which he has left to us. Coelius, who was truly a libertine, lived on the Palatine hill, in a house which he hired of Clodius, and, among the other proofs of his extravagance, it was objected, that a young man, in no public employment, should take a separate house from his father, at the yearly rent of two hundred and fifty pounds: to which Cicero replied, that Clodius, he perceived, had a mind to sell his house, by setting the value of it so high; whereas, in truth, it was but a little paltry dwelling, of small rent, scarce above eighty pounds per annum<sup>2</sup>. Coelius was acquitted, and ever after professed the highest re-

<sup>1</sup> Fuit et Balbus Cornelius major consul—Primus externorum, atque etiam in oceano genitorum usus illo honore. Hist. N. 7. 43.

Garama caput Garamantum: omnia armis Romanis superata, et a Cornelio Balbo triumphata, uno omnium externo curru et Quiritium jure donato: quippe Gadibus nato civitas Rom. cum Balbo majore patruo data est. Ibid. 5. 5.

<sup>2</sup> Sumptus unius generis objectus est, habitationis: triginta millibus dixistis eum habitare. Nunc demum intelligo P. Clodii insulam esse venalem, cujus hic in ædiculis habitet, decem, ut opinor, millibus. Pro Cælio, 7.

A. Urb. 687. Cic. 51. Cons.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus

gard for Cicero; with whom he held a correspondence of letters, which will give us occasion to speak more of him in the sequel of the history.

Cicero seems to have composed a little poem, about this time, in compliment to Cæsar: and excuses his not sending it to Atticus, because Cæsar pressed to have it, and he had reserved no copy: though, to confess the truth, he says, he found it very difficult to digest the meanness of recanting his old principles. "But adieu," says he, "to all right, true, honest counsels: it is incredible, what perfidy there is in those, who want to be leaders, and who really would be so, if there was any faith in them. I felt what they were to my cost, when I was drawn in, deserted, and betrayed by them: I resolved still to act on with them in all things; but found them the same as before: till, by your advice, I came at last to a better mind. You will tell me, that you advised me indeed to act, but not to write; it is true; but I was willing to put myself under a necessity of adhering to my new alliance, and preclude the possibility of returning to those, who, instead of pitying me, as they ought, never cease envying me. But since those who have no power will not love me, my business is to acquire the love of those who have: you will say, I wish that you had done it long ago; I know you wished it; and I was a mere ass for not minding you<sup>1</sup>."

In this year, also, Cicero wrote that celebrated letter to Luceius, in which he presses him to attempt the history of his transactions: Luceius was a man of eminent learning and abilities, and had just finished the history of the Italic and

. 697. Cic. 51. Coss.—Cn. Corn. Lent. Marcellinus. L. Mar. Philippus.

that this short interval was distinguished with such a variety of incidents, and unexpected turns of fortune, as furnished the happiest materials, both to the skill of the writer, and to the entertainment of the reader; that, when an author's subject was confined to a single and select subject, he was more capable of adorning it and displaying his talents, than in the wide and diffusive field of general history; but if he did not think the facts themselves worth the pains of adorning, that he should yet allow so much to friendship, to affection, and to that favour, which he had so laudably disclaimed in his own faces, as not to confine himself scrupulously to the strict rules of history, and the rules of truth.—That, if he would have asked it, he would supply him with some memoirs, or materials, for the foundation of his work; if not, that he should be forced to do, what many had done before him, to write his own life; a task liable to many exceptions and objections; where a man would necessarily be restrained by modesty, on the one hand, or partiality on the other, either from praising himself too much, or praising himself so much as he deserved, &c.<sup>1</sup>

This letter is constantly alleged as a proof of Cicero's vanity, and excessive love of praise: but we must consider it as written, not by a philosopher, but a statesman, conscious of the greatest services to his country, for which he had been barbarously treated; and, on that account, the more eager to have them represented in an advantageous light, and impatient to taste a part of that glory, when living, which he was sure to command when dead: and as to the passage which gives offence, where he presses his friend to exceed even the bounds of truth in his praises, it is urged only, we see, conditionally, and upon an absurd or improbable supposition, that we did not think the acts themselves really laudable, or worthy of being praised: but whatever exceptions there may be to the substance of the letter, there can be none to the elegance and composition of the letter; which is filled with a variety of beautiful sentiments, illustrated by examples, drawn from a perfect knowledge of history; so that it is justly ranked among the capital pieces of the epistolary kind, which remain to us from antiquity.

Cicero had employed more than ordinary pains upon this letter, and was pleased with his success in it: for he mentions it to Lucius with no small satisfaction, and wished him to get a copy of it from their friend Luceius. The effect of it was, that Luceius undertook what Cicero desired, and probably made some progress in it, since Cicero sent him the memoirs, as he promised, and Luceius lived many years after, in an

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<sup>1</sup> Ep. Fam. 12.

A. U. C. 697. Cn. 31. Cons.—Cn. Corn. Lent. Marcellinus, L. Mar. Philippus, uninterrupted friendship with him, though neither this, nor any other of his writings, had the fortune to be preserved to succeeding ages<sup>1</sup>.

All people's eyes and inclinations began now to turn towards Cæsar: who, by the eclat of his victories, seemed to rival the fame of Pompey himself: and by his address and generosity, gained ground upon him daily in authority and influence in public affairs. He spent the winter at Luca; whither a vast concourse of all ranks resorted to him from Rome. Here Pompey and Crassus were again made friends by him: and a project formed, that they should jointly seize the consulship for the next year, though they had not declared themselves candidates within the usual time. L. Domitius Abenobarbus, a professed enemy, was one of the competitors; who, thinking himself sure of success, could not forbear bragging, that he would effect, when consul, what he could not do when prætor; rescind Cæsar's acts, and recal him from his government<sup>2</sup>: which made them resolve at all hazards to defeat him. What greatly favoured their design, was the obstinacy of the tribune, C. Cato: who, to revenge himself on Marcellinus, for not suffering him to hold any assemblies of the people, for promulgating his laws, would not suffer the consuls to hold any for the choice of the magistrates<sup>3</sup>. The triumvirate supported him in this resolution till the year expired, and the government fell into an interregnum; when, by faction and violence, and the terror of troops, poured into the city, they extorted the consulship out of the hands of Domitius: and secured it to themselves<sup>4</sup>. This made Pompey generally odious, who, in all this

A. Urb. 697. Cic. 51. *Cont.—Ca. Corn. Lent. Marcellinus. L. Mar. Philippus.*

so, a young nobleman, who had impeached Manilius Crispus, a man of prætorian rank, and notoriously guilty, being provoked by Pompey's protection of him, turned his attack against Pompey himself, and charged him with many crimes against the state; being asked, therefore, by Pompey, why he did not chuse to impeach him, rather than the criminal, he replied, briskly, that if he would give bail to stand a trial, without raising a civil war, he would soon bring him before his judges'.

A. Urb. 698. Cic. 52. *Cont.—Ca. Pompeius Magnus II. M. Licinius Crassus II.*

DURING the continuance of these tumults, occasioned by the election of the new consuls, Cicero retired into the country; where he staid to the beginning of May, much out of humour, and disgusted both with the Republic and himself. Atticus's constant advice to him was, to consult his safety and interest, by uniting himself with the men of power; and they, on their part, were as constantly inviting him to it, by all possible assurances of their affection: but, in his answers to Atticus, he observes, that their two cases were very different; that Atticus, having no peculiar character, suffered no peculiar indignity; nothing but what was common to all the citizens; whereas his own condition was such, that, if he spoke what he ought to do, he should be looked upon as a madman; if what was useful only to himself, as a slave; if nothing at all, as quite oppressed and subdued: that his uneasiness was the greater, because he could not shew it without being thought ungrateful:—"Shall I withdraw myself, then," says he, "from business, and retire to the port of ease? That will not be allowed to me. Shall I follow these leaders to the wars, and, after having refused to command, submit to be commanded? I will do so; for I see that it is your advice, and wish that I had always followed it: or, shall I resume my post, and enter again into affairs? I cannot persuade myself to that, but begin to think Philoxenus in the right; who chose to be carried back to prison, rather than commend the tyrant's verses. This is what I am now meditating; to declare my dislike at least of what they are doing<sup>1</sup>."

<sup>1</sup> Da, inquit, prædes Reip. te, si postulatu sfueris, civile bellum non excitaturum, etiam de tuo prius, quam de Manilii capite, in concilium iudices mittam. Ibid.

<sup>2</sup> Tu quidem, etsi es natura πολιτικός, tamen nullam habes propriam servitutem; communi fruoris nomine. Ego vero, qui, si loquor de Repub. quod oportet, insanus, si quod opus est, servus existimor, si taceo, oppressus et captus; quo dolore esse debeo? quo sum æstivoet hoc etiam acriore, quod te dolere quidem possum, ut non ingratus videar. Quid si cessare libeat et in otii portum confugere? Nequirquam. Immo etiam

A. Urb. 698 Cic. 52. Cicer. — C. Pompeius Magnus II. M. Licinius Crassus II.

Such were the agitations of his mind at this time, as he frequently signifies in his letters: he was now at one of his villas on the delightful shore of Baia, the chief place of resort and pleasure for the great and rich: Pompey came thither in April, and no sooner arrived, than he sent him his compliments, and spent his whole time with him: they had much discourse on public affairs, in which Pompey expressed great uneasiness, and owned himself dissatisfied with his own part in them; but Cicero, in his account of the conversation, intimates some suspicion of his sincerity<sup>1</sup>. In the midst of this company and diversion, Cicero's entertainment was in his studies; for he never resided any where without securing to himself the use of a good library: here he had the command of Faustus, the son of Sylla, and son-in-law of Pompey; one of the best collections of Italy; gathered from the spoils of Greece, and especially of Athens, from which Sylla brought away many thousand volumes. He had nobody in the house with him but Dionysius, a learned Greek slave, whom Atticus had made free, and who was entrusted with the education of the two young Ciceros, the son and the nephew: with this companion he was devouring books, since the wretched state of the public had deprived him, as he tells us, of all other pleasures. "I had much rather," says he, to Atticus, "be sitting on your little bench, under Aristotle's picture, than in the curule chairs of our great ones: or taking a turn with you, in your walks, than with him, whom it must, I see, be my fate to walk with: as for the success of that walk, let Fortune look to it, or some god, if there be any, who takes care of us<sup>2</sup>." He mentions, in the same letter, a current report at Puteoli, that King Ptolemy was restored; and desires to know what account they

1002. Cic. 52. Cons.—Ca. Pompeius Magnus II. M. Licinius Crassus II.

It at Rome: the report was very true; for Gabinus, sed by Ptolemy's gold, and the plunder of Egypt, and aged also, as some write, by Pompey himself, undertook place him on the throne with his Syrian army; which he sed with a high hand, and the destruction of all the king's ses, in open defiance of the authority of the senate and direction of the sibyl: this made a great noise at Rome, irritated the people to such a degree, that they resolved like him feel their displeasure for it, very severely, at his

his colleague Piso came home the first, from his nearer ornament of Macedonia; after an inglorious administration in province, whence no consular senator had ever returned to a triumph. For though, on the account of some trifling advantage in the field, he had procured himself to be saluted victor by his army, yet the occasion was so contemptible, that he durst not send any letters upon it to the senate; but, for oppressing the subjects, plundering the allies, and losing the best part of his troops, against the neighbouring barbarians, who invaded and laid waste the country, he ran away, in disgrace, from a mutiny of the soldiers, whom he disbanded, at last, without their pay<sup>1</sup>. When he arrived at Rome, he stripped his fasces of their laurel, and entered the city obscurely and ignominiously, without any other attendance than his own retinue<sup>2</sup>. On his first appearance in public, trusting to the authority of his son-in-law, Cæsar, he had the hardness to attack Cicero, and complain to the senate of his injurious treatment of him: but when he began to reproach him with the disgrace of his exile, the whole assembly interrupted him by a loud and general clamour<sup>3</sup>. Among other things with which he upbraided Cicero, he told him, that it was not any envy for what he had done, but the vanity of what he had

<sup>1</sup> Vid. Dio, l. 39, p. 116, &c.

<sup>2</sup> Ex qua aliquot prætorio imperio, consulari quidem nemo rediit, qui incolumis fuerit, qui non triumphavit. In Pison. 16.

Ut ex ea provincia, quæ fuit ex omnibus una maxime triumphalis, nullus sit ad senatum litteras mittere ausus. Nuntius ad senatum missus est nullus. Ibid. 19.

Mitto de amissa maxima parte exercitus. Ibid. 20.

Dyrrhachium ut venit decedens, obsessus est ab iis ipsis militibus—Quibus cum juratus affirmasset, se, quæ deberentur, postero die persoluturum; domum se abdedit: inde nocte intempesta crepidatus, veste servili navem conscendit. Ibid. 38.

<sup>3</sup> Sic isto—Macedonicus Imperator in urbem se intulit, ut nullius negotiatoris obæcuris sui reditus unquam fuerit desertior. Ibid. 23.

Cum tu—detractam e cruentis fascibus lauream ad portam Esquilinam abieciisti. Ibid. 30.

<sup>4</sup> Tunc ausus es meum discessum illum—maledicti et contumelias loco ponere? Quo quidem tempore cepi, patres conscripti, fructum immortalis vatri in me amoris—qui non admurmuratione, sed voce et clamore abjecti hominis—petulantiam fregistis Ibid. 14.

A. Feb. 698. Cn. 52. C. 103 — Cn. Pompeius Magnus 11. M. Lucius Cn. 11.

said, which had driven him into exile; and that a single verse of his

*Cedant arma Torque, cedentibus laurea linguæ,*

was the cause of all his calamity; by provoking Pompey to make him feel, how much the power of the general was superior to that of the orator: he put him in mind, also, that it was mean and ungenerous to exert his spleen only against such, whom he had reason to condemn, without daring to meddle with those who had more power, and where his resentment was more due<sup>1</sup>. But it had been better for him to have stifled his complaints, and suffered Cicero to be quiet; who, exasperated by his imprudent attack, made a reply to him upon the spot, in an invective speech, the severest, perhaps, that was ever spoken by any man, on the person, the parts, the whole life and conduct of Piso: which, as long as the Roman name subsists, must deliver down a most detestable character of him to all posterity. As to the verse, with which he was urged, he ridicules the absurdity of Piso's application of it, and tells him, that he had contrived a very extraordinary punishment for poor poets, if they were to be banished for every bad line: that he was a critic of a new kind; not an Aristarchus, but a grammatical Phalaris; who, instead of expunging the verse, was for destroying the author; that the verse itself could not imply an affront to any man whatsoever; that he was an ass, and did not know his letters, to imagine, that, by the gown, he meant his own gown; or by arms, the arms of any particular general: and not to see, that he was speaking only in the poetical style; and, as the one was the emblem of peace, the other of war, that he could mean nothing else, than that the

torments and dangers with which the city had been threatened

11. 698. Cic. 52. Com.—Cn. Pompeius Magnus II. M. Licinius Crassus II.

malice of such as Piso; who were continually infusing  
fears and suspicions into him, till they had removed from  
confidence all who loved either him or the Republic<sup>1</sup>.

About this time the theatre, which Pompey had built at his  
charge, for the use and ornament of the city, was solemnly  
dedicated: it is much celebrated by the ancients,  
for its grandeur and magnificence: the plan was taken from  
the theatre of Mytilene, but greatly enlarged, so as to receive  
modiously forty thousand people. It was surrounded by a  
peristyle, to shelter the company in bad weather, and had a  
tribune, or senate-house, annexed to it; with a basilica also, or  
judicial hall, proper for the sittings of judges, or any other  
public business; which were all finished at Pompey's cost, and  
adorned with a great number of images, formed by the ablest  
sculptors, of men and women, famed for something very re-  
markable or prodigious in their lives and characters<sup>2</sup>. Atticus  
undertook the care of placing all these statues, for which  
Pompey charged Cicero with his thanks to him<sup>3</sup>; but what  
made this fabric the more surprising and splendid, was a beau-  
tiful temple, erected at one end of it to Venus the Conqueress;  
and so contrived, that the seats of the theatre might serve  
as stairs to the temple. This was designed, it is said, to  
avoid the reproach of making so vast an expense for the  
mere use of luxury: the temple being so placed, that those  
who came to the shows, might seem to come to worship the  
goddess<sup>4</sup>.

At the solemnity of this dedication, Pompey entertained the  
people with the most magnificent shows, which had ever been  
exhibited in Rome: in the theatre, were stage-plays, prizes of  
music, wrestling, and all kinds of bodily exercises: in the

<sup>1</sup> Quoniam te non Aristarchum, sed grammaticum Phalarium habemus, qui non notam  
apponas ad malum verum, sed poetam armis proseguare—Quid nunc te, Avine, literas  
doceam? Non dixi hanc togam, qua sum amictus, nec arma, scutum et gladium unius  
Imperatoris: sed quod pacis est insigne et otii, toga; contra autem arina, tumultus ac  
belli, more poetarum locutus, hoc intelligi volui, bellum ac tumultum pari atque otio  
concessurum—in altero—hærerem, nisi tu me expedisses. Nam cum tu—detractam e  
cruentis fascibus lauream ad portam Esquilinam abjecisti, indicasti, non modo amplis-  
simæ, sed etiam minimæ laudi lauream concessisse—Vis Pompeium isto versu inimicum  
mibi esse factum—Primo nonne compensabit cum uno versiculo tot mea volumina  
laudum suarum? Vestræ fraudes,—vestræ criminationes insidiarum mearum—effecerunt  
ut ego excluderer, &c. In *Pison.* 30, 31.

<sup>2</sup> Pompeius Magnus in ornamentis theatri mirabiles fama posuit imagines: ob id  
diligentius magnorum artificum ingenius elaboratas: inter quas legitur Eutyche, a viginti  
liberis rogo illata, enixa triginta partus; Alcippe, Elephantum. *Plin. Hist.* 7. 3.

<sup>3</sup> Tibi etiam gratias agelat, quod signa componenda suscepisses. *Ad Att.* 4. 9.

<sup>4</sup> Quam Pompeius, inquit, ædem Victoriæ dedicaturus esset, cujus gradus vicem theatri  
essent, &c. *A. Gell.* x. 1. *Vid. Tertull. de Spectac.*

Dion Cassius mentions it, as a tradition he had met with, that this theatre was not  
really built by Pompey, but by his freedman, Demetrius, who had made himself richer  
than his master, by attending him in his wars; and, to take off the envy of raising so vast  
an estate, laid out a considerable part of it upon the theatre, and gave the honour of it to  
Pompey. *Dio,* p. 107. *Senec. de Tranq. Anim.* c. 8.

A. Urb. 698 Cic. 52. Cons. -Ca. Pompeius Magnus II. M. Licinius Crassus

circus, horse-races, and huntings of wild beasts, for five days successively, in which five hundred lions were killed, and on the last day, twenty elephants; whose lamentable howling when mortally wounded, raised such a commiseration in the multitude, from a vulgar notion of their great sense and likeness to man, that it destroyed the whole diversion of the show, and drew curses on Pompey himself, for being the author of so much cruelty: so true it is, what Cicero observes of this kind of prodigality, that there is no real dignity, or lasting honour in it: that it satiates, while it pleases, and is forgotten, as soon as it is over. It gives us, however, a genuine idea of the wealth and grandeur of these principal subjects of Roman history, who, from their private revenues, could raise such noble buildings, and provide such shows, from the several quarters of the world, which no monarch on earth is now able to exhibit.

Cicero, contrary to his custom, was present at these shows, out of compliment to Pompey, and gives a particular account of them to his friend M. Marius, who could not be drawn by them from his books and retreat in the country. "The old actors," says he, "who had left the stage, came on to it again in honour to Pompey; but, for the sake of their own honour, ought rather to have staid away; our friend Æsopus appeared to be quite sunk and worn out; so that all people seemed willing to grant him his quietus; for, in attempting to raise his voice, where he had occasion to swear, his speech faltered and failed him. In the other plays, the vast apparatus, and crowded machinery which raised the admiration of the mob, spoiled the entertainment: six hundred mules, infinite treasures of plate, troops of horse and foot fighting on the stage. The huntings, indeed, were magnificent: but what pleasure, to a man of

A. U. C. 682. Cic. 82. Com.—On Pompeius Magnus 11. M. Lælius Cæcilius 11.

they are to Æsopus, I would willingly quit the stage, live with you, and such as you, in a polite and liberal manner.<sup>1</sup>

The city continued, for a great part of this summer, without annual magistrates: for the elections, which had been postponed from the last year, were still kept off by the consuls, till they could settle them to their minds, and secure them to their creatures: which they effected, at last, except in the case of two tribunes, who slipped into the office against their will: but the most remarkable repulse was, of M. Cato from the prætorship, which was given to Vatinius; from the best citizen to the worst. Cato, upon his return from the Cyprian voyage, was complimented by the senate, for that service, with the offer of the prætorship in an extraordinary manner<sup>2</sup>. But he declined the compliment, thinking it more agreeable to his character to obtain it in the ordinary way, by the free choice of the people: but when the election came on, in which he was thought sure of success, Pompey broke up the assembly, on pretence of somewhat inauspicious in the heavens, and, by intrigue and management, got Vatinius declared prætor, who had been repulsed the year before, with disgrace, from the ædileship<sup>3</sup>: but this being carried by force of money, and likely to produce an impeachment of Vatinius, Afranius moved for a decree, that the prætors should not be questioned for bribery after their election, which passed, against the general humour of the senate, with an exception only of sixty days, in which they were to be considered as private men. The pretence for the decree was, that so much of the year being spent, the whole would pass without any prætors at all, if a liberty of impeaching was allowed. "From this moment," says Cicero, "they have given the exclusion to Cato; and, being masters of all, resolve that all the world shall know it<sup>4</sup>."

Cicero's Palatine house, and the adjoining portico of Catulus, were now finished, and, as he and his brother were the curators, likewise, of the repairs of the temple of Tellus<sup>5</sup>, so they seem to have provided some inscriptions for these buildings, in honour and memory of themselves: but, since no public inscriptions

<sup>1</sup> Ep. Fam. 7. 1.

<sup>2</sup> Cujus ministerii gratia Senatus relationem interponi jubebat, ut prætoris comitibus extra ordinem ratio ejus haberetur sed ipse id fieri passus non est. Val. Max. 4. 1. Plut. in Cato.

<sup>3</sup> Proxima demeritis suffragia—quoniam quem honorem Catoni negaverant, Vatinio dare coacti sunt. Val. Max. 7. 5. Plut. in Pomp.

<sup>4</sup> A. D. III. Id. Maii S. C. factum est de ambitu in Afranii sententiam. Sed magno cum gemitu Senatus. Consules non sunt persecuti eorum sententias: qui Afranio cum essent assensu addiderunt, ut prætores ita crearentur, ut dies LX. privati essent.—Eo die Catonem plane repudiarunt. Quid multa? Tenent omnia, idque ita omnes intelligere voluit. Ad Quint. 2. 9.

<sup>5</sup> Quod Ædes Telluris est curationis meæ. De Harusp. resp. 14.

A. U. C. 698. Cic. 52. Cons.—Ca. Pompeius Magnus II. M. Licinius Crassus II.

could be set up, unless by public authority, they were apprehensive of an opposition from Clodius. Cicero mentioned the case to Pompey, who promised his assistance, but advised him to talk also with Crassus, which he took occasion to do, as he attended him home one day from the senate. Crassus readily undertook the affair, and told him, that Clodius had a point to carry for himself, by Pompey's help and his, and that, if Cicero would not oppose Clodius, he was persuaded that Clodius would not disturb him; to which Cicero consented. Clodius's business was, to procure one of those free or honorary licentia, that he might go with a public character to Byzantium and king Brogitarus, to gather the money which they owed him for past services. "As it is a mere money matter," says Cicero, "I shall not concern myself about it, whether I gain my own point or not, though Pompey and Crassus have jointly undertaken it; but he seems to have obtained what he desired, since, besides the intended inscriptions, he mentions a statue also of his brother, which he had actually erected at the temple of Tellus."

Trebonius, one of the tribunes in the interests of the triumvirate, published a law, for the assignment of provinces to the consuls for the term of five years: to Pompey, Spain and Afric; to Crassus, Syria, and the Parthian war, with the power of raising what forces they thought fit: and that Caesar's commission should be renewed also for five years more. The law was opposed by the generality of the senate; and, above all, by Cato, Favonius, and two of the tribunes, C. Ateius Capito, and P. Aquilius Gallus: but the superior force of the consuls and the other tribunes prevailed, and cleared the Forum by violence of all their opponents. The law was no sooner

## OF CICERO.

*De Urb. 698. Cr. 52. Com.—Cn. Pompeius Magnus 11. M. Licinius Crassus 11.*

having dressed up a little altar, stood ready with a fire-sacrifice to devote him to destruction'. Atens was afterwards turned out of the senate by Appius, when he was censured, for falsifying the auspices on this occasion; but the miserable fate of Crassus supported the credit of them; and confirmed the vulgar opinion of the inevitable force of those ancient rites, drawing down the divine vengeance on all, who presumed to condemn them'. Appius was one of the augurs; and the only one of the college, who maintained the truth of their ceremonies, and the reality of divination; for which he was laughed at by the rest; who charged him also with an absurdity, in the reason, which he subscribed for his censure upon Atens, viz. that he had falsified the auspices, and brought a great calamity on the Roman people: for if the auspices, they said, were false, they could not possibly have any effect, or be the cause of that calamity'. But though they were undoubtedly forged, it is certain, however, that they had a real influence on the overthrow of Crassus: for the terror of them had deeply impressed the minds of the soldiers, and made them turn every thing which they saw, or heard, to an omen of their ruin; so that when the enemy appeared in sight, they were struck with such a panic, that they had not courage or spirit enough left, to make a tolerable resistance.

Crassus was desirous, before he left Rome, to be reconciled to Cicero: they had never been real friends, but generally opposite in party; and Cicero's early engagements with Pompey kept him, of course, at a distance from Crassus: their coldness was still increased on account of Catiline's plot, of which Crassus was strongly suspected; and charged Cicero with being the author of that suspicion: they carried it, however, on both sides, with much decency; out of regard to Crassus's son, Publius, a confessed admirer and disciple of Cicero; till an accidental debate in the senate blew up their secret grudge into an open quarrel. The debate was upon Gabinius, whom Crassus undertook to defend, with many severe reflections upon Cicero; who replied, with no less acrimony, and gave a free vent to that old resentment of Crassus's many injuries, which had been gathering, he says, several years, but lain dormant so long, that it took it to be extinguished, till, from this accident, it burst

*Dio, l. 39. p. 169. Plut. in Crass.*

*M. Crasso quid accideat, videmus dirarum obtemperatorem regiorum. De Urb. 1 16. Solus enim multorum annorum memoria, non decantandi Auguria, sed divinationis disciplina; quem irridebant collegæ sui, etique tum Placidum, tum Nervam, quorum esse dicebant. Quibus nulla videtur in Auguria aut Auspiciis provisorum.*

*Id. 47. In quo Appius, bonus Augur.—Non satis scienter—errent egregium Atensum, censuravit, quod e mentito suspensa subscripserit.—Quia si falsum fuisset, nullam adferret tunc causam calamitatis. Ibid. 16.*

A. Urb. 696. Cic. 52. Cons.—Ca. Pompeius Magnus 11. M. Licinius Crassus 11.

out into a flame. The quarrel gave great joy to the chief of the senate, who highly applauded Cicero, in hopes to entice him with the triumvirate: but Pompey laboured hard to make it up, and Cæsar also, by letter, expressed his uneasiness upon it; and begged it of Cicero as a favour, to be reconciled with Crassus; so that he could not hold out against an intercession so powerful, and so well enforced by his affection to young Crassus: their reconciliation was confirmed by mutual professions of a sincere friendship for the future; and Crassus, to give a public testimony of it to the city, invited himself, just before his departure, to sup with Cicero; who entertained him in the gardens of his son-in-law Crassipes<sup>1</sup>. These gardens were upon the banks of the Tiber, and seem to have been famous for their beauty and situation<sup>2</sup>: and are the only proof which we meet with of the splendid fortunes and condition of Crassipes.

Cicero spent a great part of the summer in the country in study and retreat; pleased, he says, that he was out of the way of those squabbles, where he must either have defended what he did not approve, or deserted the man whom he ought not to forsake<sup>3</sup>. In this retirement, he put the last hand to his piece, on the Complete Orator, which he sent to Atticus, and promises also to send to Lentulus; telling him, that he had intermitted his old task of orations, and betaken himself to the milder and gentler studies; in which he had finished, to his satisfaction, three books, by way of dialogue, on the subject of the orator, in Aristotle's manner, which would be of use to his son, young Lentulus, being drawn, not in the ordinary way of the schools, and the dry method of precepts, but comprehending all that the ancients, and especially Aristotle and

A. Urb. 698. Cic. 52. Cons.—Cu. Pompeius Magnus II. M. Licinius Crassus II.

The three books contain as many dialogues, upon the character and idea of the perfect new orator: the principal speakers were P. Crassus and M. Antonius; persons of the first dignity in the Republic, and the greatest masters of eloquence, which Rome had then known: they were nearly forty years older than Cicero, and the first Romans who could pretend to dispute the prize of oratory with the Greeks, and who carried the Latin tongue to a degree of perfection, which left little or no room for any farther improvement<sup>1</sup>. The disputation was undertaken at the desire and for the instruction of two young orators of great hopes, C. Cotta and P. Sulpicius, who were then beginning to flourish at the bar: Cicero himself was not present at it, but being informed by Cotta, of the principal heads, and general argument of the whole, supplied the rest from his own invention, agreeably to the different style and manner, which those great men were known to pursue; and with design to do honour to the memory of them both, but especially of Crassus, who had been the director of his early studies; and to whom he assigns the defence of that notion, which he himself always entertained, of the character of a consummate speaker<sup>2</sup>.

Atticus was exceedingly pleased with this treatise, and commended it to the skies; but objected to the propriety of dismissing Scævola from this disputation, after he had once been introduced into the first dialogue. Cicero defends himself by the example of their god, Plato, as he calls him, in his book on Government; where the scene being laid in the house of an old gentleman, Cephalus, the old man, after bearing a part in the first conversation, excuses himself that he must go to prayers, and returns no more; Plato not thinking it suitable to the character of his age, to be detained in the company through so long a discourse: that, with greater reason, therefore, he had used the same caution in the case of Scævola; since it was not decent to suppose a person of his dignity,

<sup>1</sup> Crassus—quatuor et triginta tum habebat annos, totidemque annis mihi ætate præstabat.—Triennio ipso minor quam Antonius, quod idcirco posui, ut dicendi Latine prima maturitas quæ ætate extitisset, posset notari: et intelligeretur, jam ad summum pæne eam perductam, ut eo nihil ferme quæquam addere posset nisi qui a philosophia, a jure civili, ab historia fuisset instructor. Brut. 275.

Nunc ad Antonium, Crassumque pervenimus. Nam ego sic existimo hos oratores fuisse maximos: et in his primum cum Græcorum gloria Latine dicendi copiam æquatam. Ibid. 250.

<sup>2</sup> Nos enim, qui ipsi sermoni non interfuissemus, et quibus C. Cotta tantummodo locos ac sententias hujus disputationis tradidisset, quo in genere orationis utrumque oratorem cognoveramus, id ipsum sumus in eorum sermone adumbrare conati. De Orat. 3. 4.

Ut et (Crasso), etiam nequaquam parum illius ingenio, at pro nostro tamen studio meritam gratiam debitamque referamus. Ibid.

## OF CICERO.

rb. 699. Clc. 33. Com.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

15; and bids him look upon that letter, as a law which, on his part, should be inviolably observed: the month of February being generally employed in peace to foreign princes and ambassadors, Antiochus, king of Syria, Comagene, a territory on the banks of the Euphrates<sup>1</sup>: a petition to the senate, for some new honour, or which was commonly decreed to princes in alliance with the republic: but Cicero, being in a rallying humour, thought so ridiculous, that the house rejected it, as a petition, reserved, likewise, out of his jurisdiction, over the principal towns, Zeugma, in which was the chief bridge and passage over the Euphrates. Cæsar, in his consulship, had granted to this king the honour of the prætexta, or the robe of Roman magistrates; which was always disagreeable to the commons, who did not care to see these petty princes put upon the same rank with themselves; so that Cicero, calling out to the nobles, “will you,” says he, “who refused the prætexta to the king of Bostra, suffer this Comagenian to strut in it?” But this disappointment was not more mortifying to the king than it was to the consuls, whose best perquisites were drawn from these compliments, which were always repaid by presents; so that Appian, who had been lately reconciled to Cicero, and paid a particular court to him at this time, exhorted him, by Atticus, and their common friends, to suffer these flatteries of this sort to pass quietly, nor destroy the usual custom of the month, and make it quite barren to him<sup>2</sup>.

Cicero made an excursion this spring to visit his several estates in the country; and, in his Cuman villa,

“A Treatise on Politics; or, on the best State of a Republic and the Duties of a Citizen:” he calls it a great and useful work, yet, worthy of his pains, if he could succeed in it; if not, I shall throw it,” says he, “into that sea which is before me, and attempt something else, since it is impossible for me to be idle.” It was drawn up in the form of a dialogue, in which the greatest persons of the old Republic were introduced, debating on the origin and best constitution

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<sup>1</sup> *literas velim existimes fœderis habaturas esse viros, non epistolas; neque eas, promitto ac recipio, sanctissime esse observaturas* Ep. Fam. 5. 8.

<sup>2</sup> 15. 1. 3, 4.

<sup>3</sup> Comageno rege, quod rem totam discusseram, mihi et per se et per Pomponium Appianum. Videt enim, si hoc genere dicendi utar in cæteris, Februarium sterilem. Eumque lusi jocose satis neque solum illud extorsi oppidulum, quod situm in Euphrate, Zeugma: sed præterea togam ejus prætextam, quam erat Cæsare consule, magno hominum risu cavillatus.—Vos autem homines nobiles, rerum prætextatum non ferebatis, Comagenum ferebatis?—Multa dixi in ignomiam, quibus totus est explosus. Quo genere commotus Appianus totum me tur. Ad Quint. 2. 12.

A. Urb. 689. Cic. 53. Cons.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

how agreeable his brother's company was to him, by the revival of their old affection: and since he was now removed to some distance from him, he would take care, that, in their mutual want of each other, he should have cause at least to rejoice, that his brother was with him, rather than any one else. He thanks him, also, for sending the lawyer Trebatius to him, and says upon it, jocosely, that there was not a man before in his army, who knew how to draw a recognizance. Cicero, in his account of his letter to his brother, says, "it is kind in you, and like a brother, to press me to this friendship, though I am running that way apace, myself, and shall do, what often happens to travellers, who, rising later than they intended, yet, by quickening their speed, came sooner to their journey's end than if they had set out earlier; so I, who have over-slept myself in my observance of this man, though you were frequently rousing me, will correct my past laziness by mending my pace for the future." But as to his seeking any advantage or personal benefit from this alliance, "believe me," says he, "you who know me, I have from him already what I most value, the assurance of his affection, which I prefer to all the great things that he offers me"—"In another letter he says, "I lay no great stress on his promises, want no farther honours, nor desire any new glory, and wish nothing more but the continuance of his esteem, yet live still in such a course of ambition and fatigue, as if I were expecting what I do not really desire."

But though he made no use of Cæsar's generosity for him-

Ur. 199 Cic. 33. Cons.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

will show both what a share he possessed, at this time Caesar's confidence, and with what an affectionate zeal he had to recommend his friends.

CICERO TO CÆSAR, EMPEROR.

"See, how I have persuaded myself to consider you as a second self; not only in what affects my own interest, but in what concerns my friends: I had resolved, whithersoever I went abroad, to carry C. Trebatius along with me, that I might bring him home, adorned with the fruits of my care and kindness: but since Pompey's stay in Rome has been longer than I expected, and my own irresolution, to which you are no stranger, will either wholly hinder, or, at least, retard my going abroad at all; see what I have taken upon myself: I began presently to resolve, that Trebatius should expect the same things from you, which he had been hoping for from me; nor did I assure him with less frankness of your good will, than I used to do of my own; but a wonderful incident fell out, both as a testimony of my opinion, and a pledge of your humanity; for while I was talking of this very Trebatius, at my house, with our friend Balbus, your letter was delivered to me, in the end of which you said, as to M. Orfius, whom you recommended to me, I will make him even king of Gaul, or lieutenant to Lepta; send me another, therefore, if you please, whom I may prefer. We lifted up our hands, both I and Balbus; the occasion was so pat, that it seemed not to be accidental, but divine. I send you, therefore, Trebatius: and send him so, as at first indeed I designed, of my own accord, but now also by your invitation: embrace him, my dear Cæsar, with all your usual courtesy; and whatever you could be induced to do for my friends, out of your regard to me, confer it all singly upon him. I will be answerable for the man; not in my former style, which you justly rallied, when I wrote to you about Milo, but in the true Roman phrase, which men of sense use; that there is not an honester, worthier, modester man living; I must add, what makes the principal part of his character, that he has a singular memory, and a perfect knowledge of the civil law. I ask for him neither a regiment, nor government, nor any certain piece of preferment: I ask your benevolence and generosity; yet am not against the adorning him, whenever you shall think proper, with those trappings also of glory: in short, I deliver the whole man to you, from my hand, as we say, into your's, illustrious for victory and faith. But I am more importunate than I need to be to you;

A. Urb. 699. Cic. 53. *Com.*—L. Demetrius Ahenobarbus. A. Claudius Pulcher.

of government; Scipio, Lælius, Philus, Manilius, &c.<sup>1</sup> The whole was to be distributed into nine books, each of them the subject of one day's disputation: when he had finished the two first, they were read in his Tusculan villa, to some of his friends: where Sallust, who was one of the company, advised him to change his plan, and treat the subject in his own person, as Aristotle had done before him; alleging, that the introduction of those ancients, instead of adding gravity, gave an air of romance to the argument, which would have the greater weight, when delivered from himself, as being the work, not of a little sophist, or contemplative theorist, but of a consular senator and statesman, conversant in the greatest affairs, and writing what his own practice, and the experience of many years, had taught him to be true. These reasons seemed very plausible, and made him think of altering his scheme: especially, since, by throwing the scene so far back, he precluded himself from touching on those important revolutions of the Republic, which were later than the period to which he confined himself: but, after some deliberation, being unwilling to throw away the two books already finished, with which he was much pleased, he resolved to stick to the old plan, and as he had preferred it from the first, for the sake of avoiding offence, so he pursued it without any other alteration, than that of reducing the number of books from nine to six; in which form they were afterwards published, and survived him for several ages, though now unfortunately lost<sup>2</sup>.

From the fragments of this work, which still remain, it

A. Urb. 699. Cic. 53. Case.—L. Domitius Ahenobarbus. A. Claudius Pulcher.

accuracy: of the origin of society; the nature of law and obligation; the eternal difference of right and wrong; of justice being the only good policy, or foundation either of public or private prosperity: so that he calls his six books, so many pledges given to the public for the integrity of his conduct<sup>1</sup>. The younger Scipio was the principal speaker of the dialogue, whose part it was, to assert the excellency of the Roman constitution, preferable to that of all other states<sup>2</sup>: who, in the sixth book, under the fiction of a dream, which is still preserved to us, takes occasion to inculcate the doctrine of the immortality of the soul and ~~in a manner so~~, in a manner so lively and entertaining, that ~~has been the~~ has been the standing pattern, ever since, to the wits of succeeding ages, for attempting the same method of instilling moral lessons, in the forms of dreams or visions.

He was now drawn at last into a particular intimacy and correspondence of letters with Cæsar, who had long been endeavouring to engage him to his friendship, and, with that view, had invited his brother Quintus to be one of his lieutenants in Gaul; where Quintus, to pay his court the better to his general, joined heartily in pressing his brother to an union with him, instead of adhering so obstinately to Pompey, who, as he tells him, was neither so sincere, nor so generous a friend as Cæsar<sup>3</sup>. Cicero did not dislike the advice, and expressed a readiness to comply with it, of which Balbus gave an intimation to Cæsar, with a letter, also inclosed, from Cicero himself; but the packet happening to fall into water, the letters were all destroyed, except a scrap or two of Balbus's, to which Cæsar returned answer, "I perceive, that you had written somewhat about Cicero, which I could not make out; but, as far as I can guess, it was something rather to be wished, than hoped for<sup>4</sup>." But Cicero sent another copy of the same letter, which came safe to his hands, written, as he says, in the familiar style, yet without departing from his dignity. Cæsar answered him with all imaginable kindness, and the offer of every thing, in which his power could serve him, telling him,

<sup>1</sup> Cum sex libris, tanquam prædibus, me ipsum obstrinxerim, quos tibi tam valde probari gaudeo. Ad Att. 6. 1.

<sup>2</sup> An censes, cum in illis de Repub. libris persuadere videatur Africanus, omnium Serumpub. nostram veterem illam fuisse optimam. De Leg. 2. 10. vid. ib. 1, 6, 9.

<sup>3</sup> De Pompeio assentior tibi, vel tu potius mihi, nam, ut scis, jampridem istum canto Cæsarem. Ad Quint. 2. 13.

<sup>4</sup> Ille scripsit ad Balbum, fasciculum illum epistolarum, in quo fuerat et mea et Balbi, totum tibi aqua madidum redditum esse. ut ne illud quidem sciat, meam fuisse aliquam epistolam. Sed ex Balbi epistola pauca verba intellexerat, ad quæ rescripsit his verbis: De Cicerone video te quiddam scripsisse, quod ego non intellexi; quantum autem conjectura conasequebar, id erat hujusmodi, ut magis optandum, quam sperandum putarem. Ad Quint. 2. 12.

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and, with the loss of liberty, losing every thing else that is valuable, sinks gradually again into its original barbarism.

Cicero, taking it for granted that Trebatius followed Cæsar into Britain, begins to joke with him upon the wonderful figure that a British lawyer would make at Rome; and, as it was his profession to guard other people's safety, bids him beware that he himself was not caught by the British charioteers<sup>1</sup>. But Trebatius, it seems, knew how to take care of himself without Cicero's advice; and, when Cæsar passed over to Britain, chose to stay behind in Gaul. This gave a fresh handle for raillery; and Cicero congratulates him upon being arrived at last in a country where he was thought to know something; that if he had gone over also to Britain, there would not have been a man in all that great island wiser than himself. He observes, that he was much more cautious in military, than in civil contests; and wonders that, being such a lover of swimming, he could not be persuaded to swim in the ocean; and, when he could not be kept away from every show of gladiators at Rome, had not curiosity to see the British charioteers: he rejoices, however, after all, that he did not go, since they should not now be troubled with the impertinence of his British stories<sup>2</sup>.

Quintus Cicero, who had a genius for poetry, was projecting the plan of a poem, upon their British expedition, and begged his brother's assistance in it: Cicero approved the design, and observed upon it, that the nature and situation of places so strange, the manners of the people, their battles with them, and the general himself, Cæsar, were excellent subjects for

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It was impossible to conceive how much he wanted leisure for versifying: that, to write verses, required an ease and carefulness of mind, which the times had taken from him; and that his poetical flame was quite extinguished by the sad aspect of things before them<sup>1</sup>.

He had sent Cæsar his Greek poem, in three books, on the story of his consulship; and Cæsar's judgment upon it was, at the beginning of it was as good as anything which he had ever seen in that language, but that the following lines, to a main place, were not equal in accuracy and spirit. Cicero writes, therefore, to know of his brother, what Cæsar really thought of the whole; whether the matter or the style displeased him; and begs that he would tell him the truth freely; and, whether Cæsar liked it or not, he should not, he says, be the less pleased with himself<sup>2</sup>. He began, however, another poem, at his brother's earnest request, to be addressed to Cæsar, but after some progress, was so dissatisfied with it, that he tore it<sup>3</sup>: yet, Quintus still urging, and signifying that he had acquainted Cæsar with the design, he was obliged to resume it, and actually finished an epic poem in honour of Cæsar; which he promises to send, as soon as he could find a proper conveyance, that it might not be lost, as Quintus's tragedy of Erigone was in coming from Gaul; the only thing says he, which had not found a safe passage, since Cæsar governed that province<sup>4</sup>.

While Cicero was expressing no small dissatisfaction at the measures which his present situation obliged him to pursue, Cæsar was doing every thing in his power to make him easy:

Quatuor tragedias, cum xvi diebus absolvisse scribas, tu quidquam ab alio mutaris? et alias quæris, cum Electram et Troadem scriperis. Ibid. 3. 6.

N. B. These four tragedies, said to be written in sixteen days, cannot be supposed to have been original productions, but translations from some of the Greek poets, of which Quintus was a great master; finished by him in haste for the entertainment of the camp: for the word Troadem in the text, the name of one of them, should most probably be Troada, the title of one of Euripides' plays: as the Electra also was.

<sup>1</sup> Quod me de faciendis versibus rogas, incredibile est, mi frater, quantum exigam tempore—Facerem tamen ut possem, sed—Opus est ad poemata quadam animi alacritate, quam plane mihi tempora eripiunt. Ibid. 3. 5.

De versibus—deest mihi opera, quæ non modo tempus, sed etiam animum ad omni cura vacuum desiderat: sed abest etiam *ἐνθουσιασμός*, &c. Ibid. 4.

<sup>2</sup> Sed heus tu, celari videor a te, quomodo nam, mi frater, de nostris versibus Cæsar? Nam primum librum se legisse scripsit ad me ante: et prima sic, ut neget se ne Græca quidem meliora legisse; reliqua ad quendam locum *παθημάτων*. Hoc enim utitur verbo. Dic mihi verum, num aut res eum aut *χαρὰν* non delectat? Nihil est quod verere. Ego enim ne puto quidem minus me amabo. Ibid. 2. 16.

<sup>3</sup> Poëma ad Cæsarem, quod composueram, incidi. Ibid. 3. 1. § 4.

<sup>4</sup> Quod me institutum ad illum poemata jubet perficere, etiam distentus tum opera, tum animo tum multo magis, quoniam ex epistola, quam ad te miseram, cognovit Cæsar me aliquid esse exoritur; revertar ad institutum. Ad Quint. 8.

Quod me hortaris, ut absolvam, habeo absolutum suave, mihi quidem uti videtur, &c. ad Cæsarem. Sed quanto locupletem tabellarium, ne accidat quod Erigone tum; cui soli, Cæsare imperatore, iter ex Gallia tutum non fuit. Ibid. 9.

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he treated his brother with as much kindness, as if self had been his general; gave him the choice of quarters, and the legion which he liked best: and happening to write to him from Rome, he shewed the Quintus, and declared that he would not answer it; Quintus civilly pressed him not to put such an affront Clodius for their sakes'. In the midst of all his busi-  
 ness in Britain, he sent frequent accounts to Cicero, in his own words of his progress and success, and, at the instant of quitting the island wrote to him, from the very shore, of the embarkment of the troops, and his having taken hostages and imposed tribute: and, lest he should be surprised at having no letters at the same time, from his brother, he acquaints him, that Quintus was then at a distance from him, and could not take the benefit of that express: Cicero received all these letters at Rome, in less than a month after date, and takes notice, of one of them, that it arrived on the twentieth day, a dispatch equal to that of our present couriers by the post'.

As to the news of the city, this summer, Cicero tells his brother, that there were some hopes of an election of magistrates, but those uncertain; some suspicion of a dictator, yet that not more certain; a great calm in the Forum; but of a city, seemed to be quieted rather by the effects of age, than of concord: that his own conduct, as well in public as in private, was just what Quintus had advised, softer than the tip of his ear; and his votes in the senate such as pleased others, rather than himself.

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by this profusion of it, that interest was risen from four eight per cent<sup>1</sup>.

Memmius and Cn. Domitius, who joined their interests, made a strange sort of contract with the consuls, which was drawn up in writing, and attested, in proper form, by many of their friends on both sides; by which the consuls obliged themselves to serve them, with all their power, in the ensuing election; and they, on their part, undertook, when elected, to procure for the consuls what provinces they desired; and gave a bond of above three thousand pounds, to provide three augurs, who should testify, that they were present at making a law, for granting them those provinces, when no such law had ever been made; and two consular senators, who should affirm, that they were present, likewise, at passing a decree of the senate, for furnishing the same provinces with arms and money, when the senate had never been consulted about it<sup>2</sup>. Memmius, who was strongly supported by Caesar<sup>3</sup>, finding some reason to dislike his bargain, resolved to break it, and, by Pompey's advice, gave an account of it to the senate. Pompey was pleased with the opportunity of mortifying the consul Domitius, and willing, likewise, to take some revenge on Appius, who, though his near relation, did not enter so fully as he expected into his measures<sup>4</sup>: but Caesar was much out of humour at this step<sup>5</sup>, as it was likely to raise great scandal in the city, and strengthen the interest of those, who were endeavouring to restrain that infamous corruption, which was the main instrument of advancing his power. Appius never changed countenance, nor lost any credit by the discovery; but his colleague, Domitius, who affected the character of a patriot, was extremely discomposed; and Memmius,

<sup>1</sup> Res Romanae sic se habebant. Erat nonnulla spes comitiorum, sed incerta: erat aliquis suspicio Dictaturæ, ne ea quidem certa: summum otium forense; sed senescentis singula civitatis, quam adulescentia. Sententia autem nostra in senatu ejusmodi, magis ut alii nobis assentiantur, quam nosmet ipsi.

Τοιαῦθ' ὁ τλήμων πόλεμος ἐξεργάζεται—Eurip. Iketi.

Ambitus redit immanis, nunquam par fuit. Ad Quint. 2. 15.

Sequere me nunc in campum. Ardet ambitus: σῆμα δὲ τοι ἔπλε; fœnus ex triento Idib. Quint. factum erat besibus—ἔξοχ' in nullo est, pecunia omnium dignitatem exæquat. Ad Att. 4. 15.

<sup>2</sup> Consules flagrant infamia, quod C. Memmius candidatus pactionem in Senatu recitavit, quam ipse et suus competitor Domitius cum consulibus fecissent, uti ambo H. S. quadragena consulibus darent, si essent ipsi consules facti, nisi tres augures dedissent, qui se adfuisse dicerent, cum lex curiata ferretur, quæ lata non esset; et duo consulares, qui se dicerent in ornandis provinciis consularibus scribendo adfuisse, cum omnino ne Senatus quidem fuisset. Hæc pactio non verbis sed nominibus et prescriptionibus, multorum tabulis cum esse facta diceretur, prolata a Memmio est nominibus inducta, auctore Pompeio. Ad Att. 4. 16.

<sup>3</sup> Memmianum Caesaris omnes opes confirmant. Ibid. 15. 17.

<sup>4</sup> Dio, l. 39. p. 118.

<sup>5</sup> Ut qui jam intelligebamus enuntiationem illam Memmii valde Cesari displicere. Ad Att. 4. 16.

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med for the future, unless for murder'. But Q. Scævola, the tribunes, took a more effectual way to mortify them, by trying to hinder any election of consuls, during his magistracy, in which he persevered, and by his authority dissolved assemblies convened for that purpose'. The tribunician votes, however, were remarkably modest this year; for they made an agreement among themselves, which they all confirmed by an oath, that, in prosecuting their several interests, they would submit their conduct to the judgment of Cato, and deposit four thousand pounds a-piece in his hands, forfeited by those whom he should condemn of any irregular practice. "If the election proves free," says Cicero, "it is thought it will, Cato alone can do more than all the judges".

A great part of this year was taken up in public trials: M. Cato, who had been tribunes two years before, was tried in the beginning of July, for violence and breach of law in their magistracy, and both acquitted: but Procius, their colleague, was condemned for killing a citizen in his house: "whence we are to collect," says Cicero, "that the popagites value neither bribery, nor elections, nor interferences, nor attempts against the state, nor the whole Republic in a rush; we must not murder a man, indeed, in his own house, though that, perhaps, might be done moderately, since Cato acquitted Procius, when twenty-eight condemned".

Clodius was the accuser in these impeachments; which Cato, as soon as he was acquitted, sought a reconciliation with Cicero and Milo'. It was not Cicero's business to reject the friendship of an active and popular senator; and Milo had done much for his service in his approaching suit for the consulship.

But, though Cicero had no concern in these trials, he was continually employed in others, through the rest of the year: "I was never," says he, "more busy in trials than in the worst season of the year, and the greatest heats,

ambitu postulati sunt omnes, qui consulatum petunt—Magno res in motu est, et quod aut hominum aut legum interitus ostenditur. Ad Quint. 3. 2.

omnes absolventur, nec posthac quisquam damnabitur, nisi qui hominem occiderit. Ibid. 16.

et ceterorum quotidie singuli dies tolluntur obnuntiationibus, magna voluntate. Ad Quint. 3. 3.

et ceterationibus per Scævolam interpositis, singulis diebus. Ad Att. 4. 16.

omnium candidatorum jurarunt se arbitrio Catonis petituros: apud eum H. S. quingenta erant: ut qui a Catone damnatus esset, id perderet, et competitoribus tribueretur illa, ut putantur, gratuita fuerint; plus unus Cato potuerit, quam omnes quidem. Ibid. 15. Ad Quint. 2. 15.

Non. Quint. Suffenas et Cato absoluti: Procius condemnatus. Ex quo patet, quod est, *επιβουλη*, ambitum, comitia, interregnum, majestatem, totam Rempublicam. Hocci non facere. Debemus patrem familias domi sue occidere nolle, amen id ipsum abunde. Nam absolvent 22, condemnarunt 28. Ad Att.

et cum mecum et cum Milone in gratiam rediit. Ibid. 16.

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in particular friend. Drusus's trial was the  
 from which, after going home to write a few  
 liged to return to Vatinius's in the afternoon  
 specimen of the hurry in which he general  
 little time which he had to spend upon his  
 his studies; and though he was now ear-  
 ent works of the learned kind, yet he had  
 tells us, for meditating and composing, be-  
 king a few turns in his gardens, for the ex-  
 and refreshment of his voice<sup>1</sup>. Vatinius his  
 fiercest enemies; was in perpetual o-  
 itics; and, like Bestia, merited about  
 abandoned libertine: so was the de-  
 msible handle for some censure u-  
 nments with Pompey, and especially —  
 Caesar, made it necessary to embrace —  
 long whom Vatinius was most warmly recom-

in, being recalled, as has been said, from his ge-  
 ured to Rome about the end of September.  
 very where, on his journey, that he was going to  
 a triumph: and, to carry on that farce, contin-  
 hout the gates; till, perceiving how odious he was  
 in, he stole privately into the city by night, to avoid  
 se of being insulted by the populace<sup>2</sup>. There were  
 rent impeachments provided against him: the first,  
 able practices against the state; the second, for the  
 his province; the third, for bribery and corruption;  
 ny persons offered themselves to be prosecutors, that  
 a contest among them, before the prætor, how to  
 ir several claims<sup>3</sup>. The first indictment fell to L.  
 who accused him, the day after he entered the city,  
 fiance of religion, and the decree of the senate, he  
 ad the king of Egypt with an army, leaving his own  
 aked and open to the incursion of enemies, who had  
 t devastations in it. Cicero, who had received from  
 all the provocation which one man could receive  
 er, had the pleasure to see his insolent adversary  
 ; and was prepared to give him such a reception as

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id conficio aut cogito in ambulationis fere tempus confero. Ad Quint. 3. 3.  
 accessit A. D. xii. Cal. Oct. nihil turpius, nec doctius. Ad Quint. Fr.

is, quacunq̃ veniebat, triumphum se postulare dixisset, subitoque bonus  
 u in urbem, hostium plane, invasisset. Ibid. 2.  
 tres adhuc factiones postulant, &c. Ad Quint. Fr. 3. 1. § 5.  
 ribebam ante lucem, apud Catonem erat divinatio in Gabinium futura,  
 m, et Ti. Neronem, et C. et L. Antonios. Ibid. 2.

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he deserved: but Gabinius durst not venture to show him for the first ten days, till he was obliged to come to the senate in order to give them an account, according to custom, of the state of his province, and the troops which he had left in it. As soon as he had told his story, he was going to retire, but the consuls detained him, to answer to a complaint brought against him by the publicans, or farmers of the revenues, who were attending at the door to make it good. This drew on a debate, in which Gabinius was so urged and teased on all sides, but especially by Cicero, that trembling with passion, and unable to contain himself, he called Cicero a banished man: "upon which," says Cicero, in a letter to his brother, "nothing ever happened more honourable to me: the whole senate left their seats to a man, and, with a general clamour, ran up to his very face: while the publicans also were equally fierce and clamorous against him, and the whole company behaved just as you yourself would have done<sup>1</sup>."

Cicero had been deliberating, for some time, whether he should not accuse Gabinius himself; but, out of regard to Pompey, was content to appear only as a witness against him<sup>2</sup>; and when the trial was over, gives the following account of it to his brother.

"Gabinius is acquitted: nothing was ever so stupid as his accuser, Lentulus; nothing so sordid as the bench: yet, if Pompey had not taken incredible pains, and the rumours of a dictatorship had not infused some apprehensions, he could not have held up his head even against Lentulus: since, with such an accuser, and such judges; of the seventy-two who sat upon him, thirty-two condemned him. The sentence is so infamous, that he seems likely to fall in the other trials, especially that

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There were other things which influenced me: Pompey had considered it as a struggle, not about Gabinus's life, but his own dignity: it must have made a breach between us: we should have been matched like a pair of gladiators; as Pacidianus, with Æterninus the Samnite; he would probably have bit off one of my ears, or been reconciled at once with Clodius—for, after all the pains which I had taken to free him; when I owed nothing to him, he every thing to me; yet he would not bear my differing from him in public, or to say no worse of it; and, when he was less powerful than he is at present, shewed what power he had against me, in my flourishing condition; why should I now, when I have renounced all desire of power, when the Republic certainly has chosen when he alone has all, chuse him, of all men, to contend against, for, that must have been the case: I cannot think that I could have advised me to it. Sallust says, that I ought to have done either the one or the other; and, in compliment to Pompey, have defended him: who begged it of me, indeed, earnestly—A special friend, this Sallust! to wish me to choose myself either in a dangerous enmity, or perpetual in-

I am delighted with my middle way, and, when I had given my testimony faithfully, and religiously, was pleased to hear Gabinus say, that, if it should be permitted to him to remain in the city, he would make it his business to give me protection; nor did he so much as interrogate me——<sup>1</sup>." He told the same account of this trial to his other friends; how ill he acted his part so ill, that people were persuaded that he had evaded—and that Gabinus's escape was owing to the diligent industry of Pompey, and the corruption of the

about the time of this trial, there happened a terrible inundation of the Tiber, which did much damage at Rome: many houses and shops were carried away by it, and the fine gardens of Cicero's son-in-law, Crassipes, demolished. It was all owing to the absolution of Gabinus, after his daring violation of religion, and contempt of the Sibyl's books: Cicero applies the following passage of Homer <sup>2</sup>:

As when, in autumn, Jove his fury pours,  
And earth is laden with incessant showers;  
When guilty mortals break th' eternal laws,  
And judges, brib'd, betray the righteous cause,  
From their deep beds he bids the rivers rise,  
And opens all the flood-gates of the skies.—Pope, Il. 16. v. 466.

Quint. 3. 4.

modo ergo absolutus?—Accusatorum incredibilis infamia, id est L. Lentuli, remittunt omnes prævaricatum, deinde Pompei mira contentio, Judicium sordet.

4. 16.

nam, et maxime Appia ad Martis, mira proluvies. Crassipedis ambulatio ablata, ibernæ plurimæ. Magna vis aquæ neque ad piscinam publicam. Viget illud Horatius in absolutionem Gabinii. Ad Quint. 3. 7.

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But Gabinius's danger was not yet over: he was to be tried a second time, for the plunder of his province; where C. Memmius, one of the tribunes, was his accuser, and M. Cato his judge, with whom he was not likely to find any favour: Pompey pressed Cicero to defend him, and would not admit of any excuse; and Gabinius's humble behaviour in the late trial was intended to make way for Pompey's solicitation. Cicero stood firm for a long time: "Pompey," says he, "labours hard with me, but has yet made no impression, nor, if I retain a grain of liberty, ever will."

Oh! ere that dire disgrace shall blast my fame,  
O'erwhelm me earth———ll. 4. 218.

But Pompey's incessant importunity, backed by Caesar's earnest request, made it vain to struggle any longer; and forced him against his judgment, his resolution, and his dignity, to defend Gabinius, at a time when his defence at last proved of no service to him; for he was found guilty by Cato, and condemned, of course, to a perpetual banishment. It is probable, that Cicero's oration was never published, but as it was his custom to keep the minutes, or rough draught of all his pleadings, in what he called his Commentaries, which were extant many ages after his death<sup>a</sup>; so St. Jerome has preserved from them a small fragment of this speech, which seems to be a part of the apology, that he found himself obliged to make for it; wherein he observes, that when Pompey's authority had once reconciled him to Gabinius, it was no longer in his power to avoid defending him: "for it was ever my persuasion," says

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placed him to defend Vatinius. This gave occasion to that long and elaborate answer from Cicero, already referred to, ~~written~~ before Gabinius's trial; which would otherwise have made his apology more difficult, in which he lays open the motives and progress of his whole behaviour, from the time of his exile.—“As to the case of Vatinius,” he says, “as soon as I was chosen prætor, where I warmly opposed him, in favour of Cato, Pompey prevailed with me to be reconciled to him; and Cæsar afterwards, took surprising pains with me to defend him; to which I consented, for the sake of doing what, as I told the court at the trial, the parasite in the Eunuch advised his patron to do:

“Whenever she talks of Phædrizæ, do you presently praise Pamphila, &c. so I begged of the judges, that since certain persons of distinguished rank to whom I was much obliged, were so fond of my enemy, and affected to caress him in the senate, before my face, with all the marks of familiarity; and since they had their Publius to give me jealousy, I might be allowed to have my Publius, also, to teaze them with in my turn.” Then, as to his general conduct, he makes this general defence; “that the union and firmness of the honest, which subsisted when Lentulus left Rome, confirmed,” says he, “by my consulship, and revived by yours, is now quite broken and deserted by those who ought to have supported it, and were looked upon as patriots; for which reason, the maxims and measures of all wise citizens, in which class I always wish to be ranked, ought to be changed too: for it is a precept of Plato, whose authority has the greatest weight with me, to contend in public affairs, as far as we can persuade our citizens, but not to offer violence, either to our parent or our country. If I was quite free from all engagements, I should act therefore, as I now do; should not think it prudent to contend with so great a power; nor, if it could be effected, to extinguish it in our present circumstances; nor continue always in one mind, when the things themselves, and the sentiments of the honest, are altered; since a perpetual adherence to the same measures has never been approved by those who know best how to govern states; but, as in sailing, it is the business of art to be directed by the weather, and foolish to persevere with danger in the course in which we set out, rather than by changing it, to arrive with safety, though later, where we intended; so to us, who manage public affairs, the chief end proposed being dignity, with public quiet, our business is not to be always saying, but always, aiming at the same thing. Wherefore, if all things, as I said, were wholly free to me, I should be the same man that I now am; but when I am invited to this conduct, on

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lib. 699. Cic. 33. Com.—L. Domitius Ahenobarbus. A Claudius Pulcher.

money, and lived in Alexandria for that purpose, in the service, as the public receiver of his taxes, and wearing stium or habit of the country.

He urged, in defence of Rabirius, that he had borne no part in that transaction; but that his whole crime, or rather misfortune, was, that he had lent the king great sums of money for support at Rome; and ventured to trust a prince, who, as the world then thought, was going to be restored by the authority of the Roman people: that the necessity of going to Alexandria for the recovery of that debt, was the source of all his misfortune; where he was forced to take whatever the king would impose: that it was his misfortune to be obliged to submit himself to the power of an arbitrary monarch; that no man could be more mad, than for a Roman knight, and citizen of the Republic, of all others the most free, to go to any place, where he must needs be a slave to the will of another; that all men ever did so, as Plato and the wisest had sometimes done hastily, always suffered for it. This was the case of Rabirius; necessity carried him to Alexandria; his whole fortunes at stake<sup>1</sup>; which he was so far from improving by his association with that king, that he was ill-treated by him, imprisoned, threatened with death, and glad to run away at last with the loss of all; and, at that very time, it was wholly owing to his generosity and regard to the merit and misfortunes of his friend, that he was enabled to support his former rank and Roman dignity<sup>2</sup>. Gabinius's trial had so near a relation to Rabirius's and was so often referred to in it, that the prosecutors

did not omit so fair an opportunity of rallying Cicero, for the defence which he had acted in it:—Memmius observed, that the reason of Alexandria had the same reason for appearing for Rabirius, which Cicero had for defending him—the command of the army. “No, Memmius,” replied Cicero, “my reason for defending him was a reconciliation with him; for I am not ashamed to own, that my quarrels are mortal, my friendships mortal: and if you imagine that I undertook that cause for Pompey, you neither know Pompey nor me, for Pompey would neither desire it of me, against my will, nor would I ever have preserved the liberty of my citizens, ever give up my own<sup>3</sup>.”

<sup>1</sup> Rabir. 8. 9.

<sup>2</sup> Ib. 15.

<sup>3</sup> etiam meus familiaris, eandem causam Alexandrinis fuisse, cur laudarent Gabinius mihi fuit, cur eundem defenderem. Mihi, C. Memmi, causa defendendi fuit, reconciliatio grata. Neque vero me paritet, mortales inimicitias sempiternas habere. Nam si me invitum putas, ne Cn. Pompeii animum offenderem, nec causam; et illum et me vehementer ignoras. Neque Pompeius me sua causa facere voluisset invitum; neque ego, cui omnium civium libertas carissima mea est, projecissem. Pro C. Rabir. Post. 12.



## OF CICERO.

A. U. C. 699. Cic. 54. Cons.—L. Domitius Ahenobarbus. A. Claudius P.——.

common firmness<sup>1</sup>: it is certain that she had lived long enough to serve all the ends which he proposed from that alliance, and to procure for him every thing that Pompey's power could give: for, while Pompey, forgetful of his honour and interest, was spending his time ingloriously at home, in the caresses of a young wife, and the delights of Italy; and, as if he had been only Cæsar's agent, was continually decreeing fresh honours, troops, and money to him; Cæsar was pursuing the direct road to empire; training his legions in all the toils and discipline of bloody war; himself always at their head, animating them by his courage, and rewarding them by his bounty; till, from a great and wealthy province, having raised money enough to corrupt, and an army able to conquer all who could oppose him, he seemed to want nothing for the execution of his vast designs, but a pretext to break with Pompey; which, as all wise men foresaw, could not long be wanted, when Julia, the cement of their union, was removed. For though the power of the triumvirate had given a dangerous blow to the liberty of Rome, yet the jealousies and separate interests of the chiefs obliged them to manage it with some decency; and to extend it, but rarely, beyond the forms of the constitution; but whenever that league should happen to be dissolved, which had made them already too great for private subjects, the next contest, of course, must be for dominion, and the single mastery of the empire.

On the second of November, C. Pontinius triumphed over the Allobroges: he had been prætor, when Cicero was consul; and, at the end of his magistracy obtained the government of that part of Gaul, which, having been tampering with Catiline in his conspiracy, broke out soon afterwards into open rebellion, but was reduced by the vigour of this general. For this service he demanded a triumph, but met with great opposition, which he surmounted with incredible patience: for he persevered in his suit, for five years successively; residing all that while, according to custom, in the suburbs of the city, till he gained his point, at last, by a kind of violence. Cicero was his friend, and continued in Rome on purpose to assist him; and the consul Appian served him with all his power: but Cato protested that Pontinius should never triumph while he lived; “though this,” says Cicero, “like many of his other threats, will end at last in nothing.” But the prætor Galba, who had been his lieutenant, having procured, by stratagem, an act of the people in his favour, he entered the city in his triumphal

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<sup>1</sup> Cæsar—cum audivit decessisse filium—inter tertiam diem imperatoria obiit munera, *Senec. Consol. ad Helv.* p. 116.

A. U. C. 699. C. A. 3. C. 55. L. Domitius Ahenobarbus. A. Claudius Pulcher.

chariot, where he was so rudely received and opposed in his passage through the streets, that he was forced to make his way with his sword, and the slaughter of many of his adversaries<sup>1</sup>.

In the end of the year, Cicero consented to be one of Pompey's lieutenants in Spain: which he began to think convenient to the present state of his affairs, and resolved to set forward for that province about the middle of January<sup>2</sup>: but this seemed to give some umbrage to Cæsar, who, by the help of Quintus, hoped to disengage him gradually from Pompey, and to attach him to himself; and, with that view, had begged of him, in his letters, to continue at Rome<sup>3</sup>, for the sake of serving himself with his authority, in all affairs which he had occasion to transact there: so that out of regard, probably, to Cæsar's uneasiness, Cicero soon changed his mind, and resigned his lieutenancy: to which he seems to allude, in a letter to his brother, where he says, that he had no second thoughts in whatever concerned Cæsar; that he would make good his engagements to him; and having entered into his friendship with judgment, was now attached to him by affection<sup>4</sup>.

He was employed, at Cæsar's desire, along with Oppius, in settling the plan of a most expensive and magnificent work, which Cæsar was going to execute at Rome, out of the spoils of Gaul; a new forum, with many grand buildings annexed to it; for the area of which alone, they had contracted to pay to the several owners about five hundred thousand pounds; or, as Suetonius computes, near double that sum<sup>5</sup>. Cicero calls it a glorious piece of work, and says, "that the partitions, or en-

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p. 699. Cic. 53. *Cons.*—L. Domitius Ahenobarbus. A. Claudius Pu

was employed in raising another, not much inferior to his own expense: for he repaired and beautified an *an-silica* in the old forum; and built, at the same time, a *te*, with Phrygian columns, which was called after his name, and is frequently mentioned by the later writers, as a work of wonderful magnificence, computed to have cost him hundred thousand pounds <sup>1</sup>.

A. Urb. 700. Cic. 54.

new tribunes pursued the measures of their predecessors and would not suffer an election of consuls; so that when the year came on, the Republic wanted its proper head: in consequence, the administration fell into the hands of an interrex, a provisional magistrate, who must necessarily be a patrician and chosen by the body of patricians, called together for that purpose by the senate<sup>2</sup>. His power, however, was but limited, being transferred, every five days, from one interrex to another, till an election of consuls could be obtained: the tribunes, whose authority was absolute, while there were no consuls to control them, continued fierce against any man at all: some were for reviving the ancient dignity of the tribunes; but that being unpopular, a more plausible measure was taken up, and openly avowed, of declaring Pompey dictator. This gave great apprehensions to the city, for the memory of Sylla's dictatorship; and was vigorously opposed by the chiefs of the senate, and especially by Cato: Pompey endeavoured to keep himself out of sight, and retired into the country, but did not avoid the suspicion of affecting it. "The rumour of a dictatorship," says Cicero, "is disagreeable to the honest; but the things which they talk of, are more so to me: the whole is dreaded, but flags: Pompey flatly disclaims it, though he has never denied it to me before: the tribune, Hirrus, will probably be the promoter: good gods! how silly and fond of power he is without a rival! At Pompey's request, I have deterred Lucius Junianus, who pays a great regard to me, from meddling with it. It is hard to know whether Pompey really desires it or not: but if Hirrus stir in it, he will not convince us

<sup>1</sup> *rus, consummatus H-S. sexcenties: cum privatis non poterat transigi minore pecunie. Efficiemus rem gloriosissimam. Nam in Campo Martio septa tributis comitiis ex summis et tectis facturi, eaque erigemus excelsa porticu, ut mille passuum consummatus. Simul adjungetur huic operi villa etiam publica. Ad Att. 4. 16.*

<sup>2</sup> *lus in medio Foro Basilicam jam pene texuit iisdem antiquis columnis: illam quam locavit, facit magnificentissimam. Nihil gratius illo monumento, nihil magis. Ib.*

<sup>3</sup> *. Ascon. argum. in Milon.*

B. Lib. 7. 40. Cic. 24.

that he is averse to it." In another letter; "nothing is yet done as to the dictatorship: Pompey is still absent; Appian is in a great bustle: Hirrus preparing to propose it; but several are named as ready to interpose their negative: the people do not trouble their heads about it; the chiefs are against it; I keep myself quiet." Cicero's friend, Milo, was irresolute how to act on this occasion: he was forming an interest for the consulship: and, if he declared against a dictatorship, was afraid of making Pompey his enemy: or, if he should not help the opponents, that it would be carried by force; in both which cases, his own pretensions were sure to be disappointed: he was inclined, therefore, to join in the opposition, but so far only, as to repel any violence.

The tribunes, in the mean time, were growing every day more and more insolent, and engrossing all power to themselves: till Q. Pompeius Rufus, the grandson of Sylla, and the most factious espouser of a dictator, was, by a resolute decree of the senate, committed to prison; and Pompey himself, upon his return to the city, finding the greater and better part utterly averse to his dictatorship, yielded, at last, after an interregnum of six months, that Cn. Domitius Calvinus, and M. Messala, should be declared consuls. These were agreeable likewise to Cæsar: Cicero had particularly recommended Messala to him: of whom, he says, in a letter to his brother: "as to your reckoning Messala and Calvinus sure consuls, you agree with what we think here; for I will be answerable to Cæsar for Messala."

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A. Urb. 709. Cic. 54. Cons.—Cn. Domitius Calvinus. M. Valerius Messala.

Pompey, without the fear of any great harm, while there was so sure a check upon him as Cæsar; who, upon any exorbitant use of that power, would have had the senate, and all in a better sort, on his side, by the specious pretence of asserting the public liberty: Cicero, therefore, judged rightly, in thinking, that there were other things, which might be apprehended, and seemed likely to happen, that, in their present situation, were of more dangerous consequence than a Dictatorship.

There had scarce been so long an interregnum in Rome, since the expulsion of their kings; during which, all public business, and especially all judicial proceedings, were wholly interrupted; which explains a jocose passage in one of Cicero's letters, to Trebatius: "If you had not already," says he, "been absent from Rome, you would certainly have run away now: for what business is there for a lawyer in so many interregnums? I advise all my clients, if sued in any action, to sue every interrex twice for more time; do not you think, that I have learnt the law of you to good purpose?"

He now began a correspondence of letters with Curio, a young senator of distinguished birth and parts, who, upon his first entrance into the Forum, had been committed to his care, and was at this time quæstor in Asia. He was possessed of a large and splendid fortune, by the late death of his father; so that Cicero, who knew his high spirit and ambition, and that he was formed to do much good or hurt to his country, was desirous to engage him early in the interests of the Republic; and, by instilling great and generous sentiments, to inflame him with a love of true glory. Curio had sent orders to his agents at Rome, to proclaim a show of gladiators in honour of his deceased father; but Cicero stopped the declaration of it for a while, in hopes to dissuade him from so great and fruitless an expense<sup>1</sup>. He foresaw, that nothing was more likely to corrupt his virtue, than the ruin of his fortunes, or to make him a dangerous citizen, than prodigality; to which he was naturally inclined, and which Cicero, for that reason, was the more desirous to check, at his first setting out: but all his endeavours were to no purpose; Curio resolved to give the show of gladiators; and by a continual profusion of his money, answering to this beginning, after he had acted the patriot for

<sup>1</sup> Nisi ante Roma profectus esses, nunc eam certe relinques. Quis enim tot interregnis jurisconsultum desiderat? Ego omnibus, unde petitur, hoc consilii dederim, ut in interregibus binas advocaciones postulent. Satine tibi videor ab te jus civile? Ep. Fam. 7. 11

<sup>2</sup> Supra stadium non deficit declarandorum munerum tuo nomine: sed nec mihi placet, nec cuiquam tuorum, quidquam te absente fieri, quod tibi, cum venisses, non crederetur, &c. Ibid. 2. 3.

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A. Urb. 700. Cic. 54. Cons.—Cn. Domitius Calvinus. M. Valerius Messala.

ther to rejoice at, the loss of Crassus himself. For after the death of Julia, Crassus's authority was the only means left of checking the power of Pompey, and the ambition of Cæsar, being ready always to support the weaker, against the encroachments of the stronger, and keep them both within the bounds of a decent respect to the laws; but this check being now taken away, and the power of the empire thrown, as a kind of prize, between two, it gave a new turn to their several pretensions, and created a fresh competition for the larger share; which, as the event afterwards shewed, must necessarily end in the subversion of the whole.

Publius Crassus, who perished with his father in this fatal expedition, was a youth of an amiable character; educated with the strictest care, and perfectly instructed in all the liberal studies: he had a ready wit and easy language; was grave without arrogance, modest without negligence; adorned with all the accomplishments proper to form a principal citizen and leader of the Republic: by the force of his own judgment he had devoted himself very early to the observance and imitation of Cicero, whom he perpetually attended and revered with a kind of filial piety. Cicero conceived a mutual affection for him, and observing his eager thirst for glory, was constantly instilling into him the true notion of it; and exhorting him to pursue that sure path to it, which his ancestors had left beaten and traced out to him, through the gradual ascent of civil honours. But by serving under Cæsar in the Gallic wars, he had learnt, as he fancied, a shorter way to fame and power than what Cicero had been inculcating; and having signalized himself in a campaign or two, as a soldier, was in too much haste to be a general; when Cæsar sent him, at the head of a thousand horse, to the assistance of his father in the Parthian war. Here the vigour of his youth and courage carried him on so far, in the pursuit of an enemy, whose chief art of conquest consisted in flying, that he had no way left to escape, but what his high spirit disdained, by the desertion of his troops and a precipitate flight; so that, finding himself oppressed with numbers, cruelly wounded, and in danger of falling alive into the hands of the Parthians, he chose to die by the sword of his armour-bearer. Thus, while he aspired, as Cicero says, to the fame of another Cyrus or Alexander, he fell short of that glory, which many of his predecessors had reaped, from a succession of honours, conferred by their country, as the reward of their services<sup>1</sup>.

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<sup>1</sup> Hoc magis sum Publico deditus, quod me, quamquam a pueritia semper, tamen hoc tempore maxime, sicut alterum parentem et observat et diligit. Ep. Fam. 5. 8.

P. Crassum

A. Urb. 700. Cic. 54. Com.—Ca. Domitius Calvinus. M. Valerius Messala.

filled, in the exercise of his subordinate magistracy<sup>1</sup>. Pompey was wholly averse to Milo, who did not pay him that court which he expected, but seemed to affect an independency, and trust to his own strength, while the other two competitors were wholly at his devotion. Hypæus had been his quaestor, and always his creature; and he designed to make Scipio his father-in-law, by marrying his daughter Cornelia, a lady of celebrated accomplishments, the widow of young Crassus.

Cicero, on the other hand, served Milo to the utmost of his power, and ardently wished him success. This he owed to Milo's constant attachment to him, which, at all hazards, he was resolved to repay. The affair, however, was likely to give him much trouble, as well from the difficulty of the opposition, as from Milo's own conduct and unbounded prodigality, which threatened the ruin of all his fortunes. In a letter to his brother, who was still with Cæsar, he says, "Nothing can be more wretched than these men and these times: wherefore, since no pleasure can now be had from the Republic, I know not why I should make myself uneasy: books, study, quiet, my country-houses, and above all, my children, are my sole delight. Milo is my only trouble: I wish his consulship may put an end to it; in which I will not take less pains, than I did in my own; and you will assist us there also, as you now do: all things stand well with him, unless some violence defeat us. I am afraid only, how his money will hold out: for he is mad beyond all bounds in the magnificence of his shows, which he is now preparing at the expense of 250,000*l.*; but it shall be my care to check his inconsiderateness in this one article, as far as I am able," &c.

In the heat of this competition, Curio was coming home from Asia, and expected shortly at Rome; whence Cicero sent an express to meet him on the road, or at his landing in Italy, with a most earnest and pressing letter to engage him to Milo's interest.

<sup>1</sup> Occurrebat ei, mancam ac debilem Præturam suam futuram consule Milone. Pro Milon. 9.

<sup>2</sup> Itaque ex Rep. quoniam nihil jam voluptatis capi potest; cur stomacher, nescio. Litteræ me et studia nostra, et otium, villæque delectant, maximeque pueri nostri. Angit unus Milo. Sed velim finem afferat consulatus, in quo enitar non minus quam cum enisus in nostro: tuque istinc, quod faris, adjuvabis. De quo cætera (nisi plane vis eripuerit) recte sunt: de re familiari timeo.

Ὁ δὲ μάλιστα οὐκ ἔτ' ἀνακτῶν—

qui ludos H. S. CCC. comparet. Cujus in hoc uno inconsiderantiam et ego sustinebo, ut potero. Ad Quint. 3. 9.

Cicero had great reason for the apprehensions which he expresses on account of Milo's extravagance. for Milo had already wasted three estates in giving plays and shows to the people; and, when he went, soon after, into exile, was found to owe still above half a million of our money. Plin. l. 36. 15. Ascon. Argum. in Milon.

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A. Urb. 701. Cic. 55.

am now taking for Milo, you can believe me to be of benefits; if grateful; if a good man; if worthy, in your kindness; I beg of you to relieve my present trouble, and lend your helping hand to my praise; or, to more truly, to my safety. As to T. Annius himself, I trust you, if you embrace him, that you will not find a man without mind, gravity, constancy, or of greater affection to me, as for myself, you will add such a lustre and fresh to me, that I shall readily own you to have shewn the way for my honour, which you exerted before for my nation. If I was not sure, from what I have already seen, that you would see how much I take my duty to be in this affair, and how much it concerns me, not only myself, but even to fight for Milo's success, I should press it farther; but I now recommend, and throw the whole of myself also with it, into your hands; and beg of you to assure yourself of this one thing, that, if I obtain this from you, I shall be more indebted almost to you, than to Milo himself; since my safety, in which I was principally assisted by him, was not so dear, as the piety of shewing gratitude will be agreeable to me, which, I am persuaded, you will be able to effect by your assistance. Adieu<sup>1</sup>."

Senate, and the better sort, were generally in Milo's favour; but three of the tribunes were violent against him, Publius Rufus, Munatius Plancus Bursa, and Sallust the younger; the other seven were his fast friends, but, above all, Titus, who, out of regard to Cicero, served him with a particular zeal. But, while all things were proceeding very favourably in his favour, and nothing seemed wanting to his success, but to bring on the election, which his advisers, for that reason, were labouring to keep back, all his hopes and fortunes were blasted at once, by an unhappy rencounter with his old enemy Clodius, in which Clodius was assisted by his servants, and by his command.

The meeting was wholly accidental, on the Appian road, from the city; Clodius coming home from the country; Milo from Rome; Milo going out about three in the afternoon; Titus on horseback, with three companions, and thirty servants well armed; the latter in a chariot, with his wife and children, but with a much greater retinue, and, among them, gladiators. The servants, on both sides, began presently to fight each other; when Clodius, turning briskly to some of his men, who were nearest to him, and threatening them

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<sup>1</sup> Ep. Fam. 2. 6.

A. Urb. 701. Cl. 35.

with his usual fierceness, received a wound in the shoulder from one of the gladiators; and, after receiving several more in the general fray, which instantly ensued, finding his life in danger, was forced to fly for shelter into a neighbouring tavern. Milo, heated by this success, and the thoughts of revenge, and reflecting that he had already done enough, to give his enemy a great advantage against him, if he was left alive to pursue it, resolved, whatever was the consequence, to have the pleasure of destroying him, and so ordered the house to be stormed, and Clodius to be dragged out and murdered. The master of the tavern was likewise killed, with eleven of Clodius's servants, while the rest saved themselves by flight: so that Clodius's body was left in the road, where it fell, till S. Tediæ, a senator, happening to come by, took it up into his chaise, and brought it with him to Rome, where it was exposed in that condition, all covered with blood and wounds, to the view of the populace, who flocked about it in crowds, to lament the miserable fate of their leader. The next day, the mob, headed by S. Clodius, a kinsman of the deceased, and one of his chief incendiaries, carried the body naked, so as all the wounds might be seen, into the Forum, and placed it in the rostra, where the three tribunes, Milo's enemies, were prepared to harangue upon it in a style suited to the lamentable occasion, by which they inflamed their mercenaries to such a height of fury, that, snatching up the body, they ran away with it into the senate-house, and, tearing up the benches, tables, and every thing combustile, dressed up a funeral pile upon the spot, and, together with the body, burnt the house itself with

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A. Urb. 701. Cic. 55.

were to little purpose; for the three tribunes employed all the arts of party and faction to keep up the ill humour of the populace; and, what was more fatal, Pompey would not be brought into any measures of accommodating the matter; so that the tumults still increasing, the senate passed a decree, that the interrex, assisted by the tribunes and Pompey, should take care that the Republic receive no detriment; and that Pompey, in particular, should raise a body of troops for the common security, which he presently drew together from all parts of Italy. In this confusion, the rumour of a dictator was again industriously revived, and gave a fresh alarm to the senate; who, to avoid the greater evil, resolved presently to create Pompey the single consul; so that the interrex, Servius Sulpicius, declared his election accordingly, after an interregnum of near two months<sup>1</sup>.

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

POMPEY applied himself immediately to calm the public disorders, and published several new laws, prepared by him for that purpose: one of them was to appoint a special commission, to inquire into Clodius's death, the burning of the senate-house, and the attack on M. Lepidus; and to appoint an extraordinary judge, of consular rank, to preside in it: a second was, against bribery and corruption in elections, with the inflictions of new and severer penalties.—By these laws, the method of trials was altered, and the length of them limited: three days were allowed for the examination of witnesses, and the fourth for the sentence: on which the accuser was to have two hours only to enforce the charge; the criminal three for his defence<sup>2</sup>: which regulation Tacitus seems to consider as the first step towards the ruin of the Roman eloquence, by imposing reins, as it were, upon its free and ancient course<sup>3</sup>. Caelius opposed his negative to these laws, as being rather privileges than laws, and provided particularly against Milo: but he was soon obliged to withdraw it, upon Pompey's declaring that he would support them by force of arms. The three tribunes, all the while, were perpetually haranguing and terrifying the city with forged stories, of magazines of arms prepared by Milo, for massacring his enemies, and burning the city, and produced their creatures, in the rostra, to vouch the truth of them to the people. They charged him particularly with a design against Pompey's life, and brought one

<sup>1</sup> Vid. Dio, *ibid.* et Ascon. Argum.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Primo tertio consulatu Cn. Pompeius astrinxit, imposuitque veluti frenos eloquentiam, &c. Dialog. de Orat. 33.*

A. Urb. 701. Cic. 55. Cos.—Cn. Pompeius Magnus III. Sine Collega.

Licinius, a killer of the victims for sacrifice, to declare that Milo's servants had confessed it to him in their cups, and then endeavoured to kill him, lest he should discover it: and, to make his story the more credible, shewed a slight wound in his side, made by himself, which he affirmed to have been given by the stroke of a gladiator. Pompey himself confirmed this fact, and laid an account of it before the senate; and, by doubling his guard, affected to intimate a real apprehension of danger<sup>1</sup>. Nor were they less industrious to raise a clamour against Cicero; and, in order to deter him from pleading Milo's cause, threatened him also with trials and persecutions; giving it out every where, that Clodius was killed indeed by the hand of Milo, but by the advice and contrivance of a greater man<sup>2</sup>. "Yet, such was his constancy to his friend," says Asconius, "that neither the loss of popular favour, nor Pompey's suspicions, nor his own danger, nor the terror of arms, could divert him from the resolution of undertaking Milo's defence<sup>3</sup>."

But it was Pompey's influence and authority which ruined Milo<sup>4</sup>. He was the only man in Rome who had the power either to bring him to a trial, or to get him condemned: not that he was concerned for Clodius's death, or the manner of it, but pleased rather that the Republic was freed, at any rate, from so pestilent a demagogue; yet he resolved to take the benefit of the occasion, for getting rid of Milo too, from whose ambition and high spirit he had cause to apprehend no less trouble. He would not listen, therefore, to any overtures, which were made to him by Milo's friends: and, when Milo

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A. Urb. 701. Cic. 55. Cœs.—Cn. Pompeius Magnus III. Sine Collega.

came, to discharge a vow, said to be made by him, on the account of Clodius's death<sup>1</sup>.

When the examination was over, Munatius Plancus called the people together, and exhorted them to appear in a full body the next day, when judgment was to be given, and to declare their sentiments in so public a manner, that the criminal might not be suffered to escape: which Cicero reflects upon, in the defence, as an insult on the liberty of the bench<sup>2</sup>. Early in the morning, on the eleventh of April, the shops were all shut, and the whole city gathered into the Forum, where the avenues were possessed by Pompey's soldiers, and he himself seated in a conspicuous part, to overlook the whole proceeding, and hinder all disturbance. The accusers were young Appius, the nephew of Clodius, M. Antonius, and P. Valerius, who, according to the new law, employed two hours in supporting their indictment. Cicero was the only advocate on Milo's side; but, as soon as he rose up to speak, he was received with so rude a clamour, by the Clodians, that he was much discomposed and daunted at his first setting out, yet recovered spirit enough to go through his speech of three hours, which was taken down in writing, and published as it was delivered, though the copy of it now extant is supposed to have been retouched and corrected by him, afterwards, for a present to Milo, in his exile<sup>3</sup>.

In the council of Milo's friends, several were of opinion, that he should defend himself, by avowing the death of Clodius to be an act of public benefit: but Cicero thought that defence too desperate, as it would disgust the grave, by opening so great a door to licence, and offend the powerful, lest the precedent should be extended to themselves. But young Brutus was not so cautious, who, in an oration, which he composed and published afterwards, in vindication of Milo, maintained the killing of Clodius to be right and just, and of great service to the Republic<sup>4</sup>. It was notorious, that, on both sides, they had often threatened death to each other; Clodius, especially, had declared several times, both to the senate and the people, that Milo ought to be killed; and that, if the consulship could not be taken from him, his life could: and when Favonius asked him once, what hopes he could have of playing his mad pranks,

<sup>1</sup> Vid. Ascon. Argum. in Milon.

<sup>2</sup> Ut intelligatis contra hesternam illam concionem licere vobis, quod sentiatia, libero judicare. Pro Milon. 26. Vid. Ascon. ibid.

<sup>3</sup> Cicero, cum inciperet dicere, acceptus est acclamatione Clodianorum—itaque non ea, quæ solitus erat, constantia dixit. Manet autem illa quoque excepta ejus oratio, Ascon. Argum.

<sup>4</sup> Cum quibusdam placuisset, ita defendi crimen, interfici Clodium pro Repub. fuisse, quam formam M. Brutus secutus est in ea oratione, quam pro Milone composuit, et edidit, quamvis non egisset, Ciceroni id non placuit. Ib.

A. Urb. 701. Cic. 55. Cœ.—Cn. Pompeius Magnus III. Sine Collega.

while Milo was living, he replied, that in three or four days, at most, he should live no more: which was spoken just three days before the fatal encounter, and attested by Favonius<sup>1</sup>. Since Milo then was charged with being the contriver of their meeting, and the aggressor in it, and several testimonies were produced to that purpose, Cicero chose to risk the cause on that issue; in hopes to persuade what seemed to be the most probable, that Clodius actually lay in wait for Milo, and contrived the time and place; and that Milo's part was but a necessary act of self-defence. This appeared plausible, from the nature of their equipage, and the circumstances in which they met: for though Milo's company was the more numerous, yet it was much more encumbered, and unfit for an engagement, than his adversary's; he himself being in a chariot with his wife, and all her women along with him: while Clodius with his followers were on horseback: as if prepared and equipped for fighting<sup>2</sup>. He did not preclude himself, however, by this, from the other plea which he often takes occasion to insinuate, that if Milo had really designed and contrived to kill Clodius, he would have deserved honours instead of punishment, for cutting off so desperate and dangerous an enemy to the peace and liberty of Rome<sup>3</sup>.

In this speech for Milo, after he had shewn the folly of paying such a regard to the idle rumours and forgeries of his enemies, as to give them the credit of an examination, he touches Pompey's conduct and pretended fears, with a fine and masterly raillery; and, from a kind of prophetic foresight of what might one day happen, addresses himself to him in a very

## OF CICERO.

A. Urb. 701. Cic. 55. Coa.—Ca. Pompeius Magnus III. Sine Collega.

ey would condemn, if they were at liberty to do it. He did not refuse an audience to that paltry fellow, Licinius, who gave the information about Milo's servants—I was sent among the first of those friends, by whose advice he laid it before the senate; and was, I own, in no small consternation, to see the guardian both of me and my country under so great apprehension; yet, I could not help wondering that such credit was given to a butcher; such regard to drunken slaves; and how the wound in the man's side, which seemed to be the prick only of a needle, could be taken for the stroke of a gladiator. But Pompey was shewing his caution rather than his fear; and disposed to be suspicious of every thing, that you might have reason to fear nothing. There was a rumour, also, that Caesar's house was attacked for several hours in the night; his neighbours, though in so public a place, heard nothing at all of it; yet, the affair was thought fit to be inquired into. I can never suspect a man of Pompey's eminent courage of being timorous; nor yet think any caution too great in one, who had taken upon himself the defence of the whole Republic. A senator, likewise, in a full house, affirmed lately in the capitol, that Milo had a dagger under his gown, at that very time: Milo ripped himself presently in that most sacred temple; that once his life and manners would not give him credit, the thing itself might speak for him, which was found to be false, and easily forged. But if, after all, Milo must still be feared, it is no longer the affair of Clodius, but your suspicions, Pompey, which we dread: your suspicions, I say, and speak it so, that you may hear me.—If those suspicions stick so close, that they are never to be removed; if Italy must never be free from new wars, nor the city from arms, without Milo's destruction; he could not scruple, such is his nature and his principles, to bid adieu to his country, and submit to a voluntary exile: but, at taking leave, he would call upon thee, O thou great one! as he now does, to consider how uncertain and variable the condition of life is; how unsettled and inconstant a thing fortune; what unfaithfulness there is in friends; what dissimulation suited to times and circumstances; what desertion, what cowardice in our dangers, even of those who are dearest to us; there will, there will, I say, be a time, and the day will certainly come, when you with safety still, I hope, to your former, though changed, perhaps, by some turn of the common lot, which, as experience shews, will often happen to us all, may want the affection of the friendliest, the fidelity of the truest, the courage of the bravest man living<sup>1</sup>, &c.

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<sup>1</sup> Pro Milon. 24, 25, 26.



## OF CICEBO.

A. Urb. 701. Cic. 55. Cons.—On. Pompeius Magnus III. *Stas College.*

ro, he was acquitted by a great majority. But Sex. Julius, the captain of the other side, had not the luck to fare so well, but was condemned, and banished with several others of that faction, to the great joy of the city, for burning the senate-house, and the other violences committed upon Julius's death<sup>1</sup>.

A. Urb. 701. Cic. 55. Cons.—Cn. Pomp. Magnus III. Q. Coel. Metel. Scipio.

POMPEY no sooner published his new law against bribery, than the late consular candidates, Scipio and Hypsæus, were generally impeached upon it; and, being both of them notoriously guilty, were in great danger of being condemned; but Pompey, calling the body of the judges together, begged of them, as a favour, that out of the great number of state criminals, they would remit Scipio to him; whom, after he had rescued from this prosecution, he declared his colleague in the consulship, for the last five months of the year; having first made him his father-in-law, by marrying his daughter, Cornelia. The other candidate, Hypsæus, was left to the mercy of the law; and, being likely to fare the worse for Scipio's escape, and to be made a sacrifice to the popular odium, he watched for an opportunity of access to Pompey, as he was coming out of his bath, and, throwing himself at his feet, implored his protection: but though he had been his quæstor, and ever obsequious to his will, yet Pompey is said to have thrust him away, with great haughtiness and inhumanity, telling him, coldly, that he would only spoil his supper by detaining him<sup>2</sup>.

Before the end of the year, Cicero had some amends for the loss of his friend Milo, by the condemnation and banishment of two of the tribunes, the common enemies of them both, Q. Pompeius Rufus, and T. Munatius Plancus Bursa, for the violences of their tribunate, and burning the senate-house. As soon as their office expired, Coelius accused the first, and Cicero himself the second; the only cause, excepting that of Verres, in which he ever acted the part of an accuser. But Bursa had deserved it, both for his public behaviour, in his office, and his personal injuries to Cicero; who had defended and preserved him in a former trial. He depended on Pompey's saving him; and had no apprehension of danger, since

<sup>1</sup> Ascen. Argum. pro Milon.

<sup>2</sup> On. autem Pompeius quam insolenter? Qui balneo egressus, ante pedes suos prostratum Hypsæum ambitus reum et nobilem virum et ubi amicum, jacentem reliquit, contumeliosa voce proculcatum. Nihil enim cum aliud agere, quam ut convivium suum necaretur, respondit—Ille vero P. Scipionem, socerum suum, legibus noxium, quæ ipse ulerat, in maxima quidem reorum et illustrium ruina, munera loco a Judicibus deponere. Val. Max. 9. 5. it. Plut. in Pomp.

Urb. 791. Cl. 35. Com.—Cn. Pomp. Magnus III. Q. Cæcil. Metel. Scipio.

ing designed, then, as a supplement or second volume to other upon the Republic, was distributed, probably, as other was, into six books; for we meet with some quæstions among the ancients from the fourth and fifth; though there are but three now remaining, and those in some places imperfect. In the first of these, he lays open the origin of law and the source of obligation, which he derives from the universal nature of things, or, as he explains it, from the concommune reason or will of the supreme God<sup>1</sup>: in the other five books, he gives a body of laws, conformable to his own plan and idea of a well-ordered city<sup>2</sup>: first, those which relate to religion and the worship of the gods: secondly, those which describe the duties and powers of the several magistrates, from which the peculiar form of each government is denominated. These laws are generally taken from the old constitution or custom of Rome<sup>3</sup>; with some little variation and temperament, contrived to obviate the disorders to which that Republic was liable, and to give it a stronger turn towards the aristocratical side<sup>4</sup>: in the other books, which are lost, he had treated, as he tells, of the particular rights and privileges of the Roman people<sup>5</sup>.

Pompey was preparing an inscription this summer for the front of the new temple, which he had lately built to Venus the Conqueress, containing, as usual, the recital of all his titles; but, in drawing it up, a question happened to be started, about the manner of expressing his third consulship; whether it should be by *consul tertium* or *tertio*. This was referred to the principal critics of Rome, who could not, it seems, agree about it; some of them contending for the one, some for the other; so that Pompey left it to Cicero to decide the matter, and to inscribe what he thought the best. But Cicero, being unwilling to give judgment on either side, when there were great authorities on both sides, and Varro among them, advised Pompey to abbreviate the word in question, and order *TEXT.* to be inscribed, which fully declared the thing, without determining the dispute. From this fact we may observe, how nicely exact they were in this age, in preserving a pro-

<sup>1</sup> Hanc igitur video sapientissimorum fuisse sententiam, legem neque hominum ingenio excogitatam, nec scitum aliquod esse populorum, sed æternum quiddam, quod universum mundum regeret, imperandi prohibendique sapientia. Ita principem legem illam et ultimam mentem esse dicebant, omnia ratione aut cogente aut vetante Dei. Quamobrem lex vera atque princeps—ratio est recta summi Jovis. Ibid. 2. 4.

<sup>2</sup> Nos autem quoniam quæ de optima Repub. sentiremus, in sex libris ante diximus, accommodabimus hoc tempore leges ad illum, quem probamus, civitatis statum. Ibid. 3. 2.

<sup>3</sup> Et si quæ forte a me hodie rogabuntur, quæ non sint in nostra Repub. nec fuerint, tamen erunt fere in more majorum, qui tam, ut lex, valebat. Ibid. 2. 10.

<sup>4</sup> Nihil habui; sane non stultum, quod putarem novandum in legibus. Ibid. 3. 5.

<sup>5</sup> Ibid. 3. 20.

A. U. C. 701. Cic. 33. Cons.—Cn. Pomp. Magnus III. Q. Cæcili. Metel. Sep.

priety of language in their public monuments and inscriptions<sup>1</sup>.

Among the other acts of Pompey, in this third consulship, there was a new law against bribery, contrived to strengthen the old ones that were already subsisting against it, by disqualifying all future consuls and prætors from holding any province, till five years after the expiration of their magistracies; for this was thought likely to give some check to the eagerness of suing and bribing for those great offices, *vis* the chief fruit and benefit of them was removed to such a distance<sup>2</sup>. But, before the law passed, Pompey took care to provide an exception for himself, and to get the government of Spain continued to him for five years longer, with an appointment of money for the payment of his troops; and lest this should give offence to Cæsar, if something also of an extraordinary kind was not provided for him, he proposed a law, to dispense with Cæsar's absence in suing for the consulship, of which Cæsar at that time seemed very desirous. Cælius was the promoter of this law, engaged to it by Cicero, at the joint request of Pompey and Cæsar<sup>3</sup>; and it was carried with the concurrence of all the tribunes, though not without difficulty and obstruction from the senate: but this unusual favour, instead of satisfying Cæsar, served only, as Suetonius says, to raise his hopes and demands still higher<sup>4</sup>.

By Pompey's law, just mentioned, it was provided, that for the supply of governors for the interval of five years, in which the consuls and prætors were disqualified, the senators of consular and prætorian rank, who had never held any foreign command, should divide the vacant provinces among themselves by lot: in consequence of which, Cicero, who was obliged

A. Urb. 701. Cic. 53. Cons.—Cn. Pomp. Magnus III. Q. Cæcil. Metel. Scipio.

will and expectation, obtruded at last upon Cicero; whose business it had been, through life, to avoid them<sup>1</sup>.

The city began now to feel the unhappy effects both of Julia's and Crassus's death, from the mutual apprehensions and jealousies, which discovered themselves more and more every day between Pompey and Cæsar: the senate was generally in Pompey's interest; and, trusting to the name and authority of so great a leader, were determined to humble the pride and ambition of Cæsar, by recalling him from his government; whilst Cæsar, on the other hand, trusting to the strength of his troops, resolved to keep possession of it in defiance of all their votes; and, by drawing a part of his forces into the Italic, or Cisalpine Gaul, so as to be ready at any warning to support his pretensions, began to alarm all Italy with the melancholy prospect of an approaching civil war; and this was the situation of affairs when Cicero set forward towards his government of Cilicia.

## SECTION. VII.

A. Urb. 702. Cic. 56. Cons.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

THIS year opens to us a new scene in Cicero's life, and presents him in a character, which he had never before sustained, of the governor of a province, and general of an army. These preferments were, of all others, the most ardently desired by the great, for the advantages which they afforded, both of acquiring power and amassing wealth: for their command, though accountable to the Roman people, was absolute and uncontrollable in the province: where they kept up the state and pride of sovereign princes, and had all the neighbouring kings paying a court to them, and attending their orders. If their genius was turned to arms, and fond of martial glory, they could never want a pretext for war, since it was easy to drive the subjects into rebellion, or the adjoining nations to acts of hostility, by their oppressions and injuries, till, from the destruction of a number of innocent people, they had acquired the title of emperor, and with it the pretension to a triumph; without which, scarce any proconsul was ever known to return from a remote and frontier province<sup>2</sup>. Their opportunities of

<sup>1</sup> Cum, et contra voluntatem meam et præter opinionem accidisset, ut mihi cum imperio in provinciam proficisci necesse esset. Ep. Fam. 3. 2.

<sup>2</sup> While the ancient discipline of the Republic subsisted, no general could pretend to a triumph, who had not enlarged the bounds of the empire by his conquests, and killed, at least, five thousand enemies in battle, without any considerable loss of his own soldiers. This was expressly enacted by an old law: in support of which a second was afterwards provided, that made it penal for any of their triumphant commanders to give a false

A. 116 702. C. 1. 5. C. 1. 5. —Sens. Sulpicius Rufus. M. Claudius Marcellus.

raising money were as immense as their power, and bounded only by their own appetites: the appointments from the treasury, for their equipage, plate, and necessary furniture, amounted as it appears from some instances, to near a hundred and fifty thousand pounds<sup>1</sup>: and besides the revenues of kingdoms, and pay of armies, of which they had the arbitrary management, they could exact what contributions they pleased, not only from the cities of their own jurisdiction, but from all the states and princes around them, who were under the protection of Rome. But while their primary care was to enrich themselves, they carried out with them always a band of hungry friends and dependants, as their lieutenants, tribunes, præfects, with a crew of freedmen and favourite slaves, who were all likewise to be enriched by the spoils of the province, and the sale of their master's favours. Hence flowed all those accusations and trials for the plunder of the subjects, of which we read so much in the Roman writers: for as few or none of the præconsuls behaved themselves with that exact justice, as to leave no room for complaint, so the factions of the city, and the quarrels of families, subsisting from former impeachments, generally excited some or other to revenge the affront in kind, by undertaking the cause of an injured province, and dressing up an impeachment against their enemy.

But whatever benefit or glory this government seemed to offer, it had no charms for Cicero: the thing itself was disagreeable to his temper<sup>2</sup>, nor worthy of those talents, which were formed to sit at the helm, and shine in the administration of the whole Republic: so that he considered it only as an

A. Urb. 702. Cic. 86. Com.—Serr. Sulpicius Rufus. M. Claudius Marcellus.

**I**n changing the governor: and this was more likely to happen at present, through the scarcity of magistrates, who were now not capable by the late law of succeeding him. Before his departure, therefore, he solicited all his friends not to suffer such a mortification to fall upon him; and, after he was gone, Marce wrote a single letter to Rome, without urging the same requests, in the most pressing terms; in his first to Atticus, within three days of their parting: "Do not imagine," says he, "that I have any other consolation in this great trouble, than the hopes that it will not be continued beyond the year: many who judge of me by others, do not take me to be in earnest: but you, who know me, will use all your diligence, especially when the affair is to come on!"

He left the city about the first of May, attended by his brother and their two sons: for Quintus had quitted his commission under Cæsar, in order to accompany him into Cilicia, in the same capacity of his lieutenant. Atticus had desired him, before he left Italy, to admonish his brother to show more complaisance and affection to his wife Pomponia, who had been complaining to him of her husband's peevishness and churlish carriage; and, lest Cicero should forget it, he put him in mind again, by a letter to him on the road, that since all the family were to be together in the country, on this occasion of his going abroad, he would persuade Quintus to leave his wife, at least, in good humour at their parting: in relation to which, Cicero sends him the following account of what passed:

"When I arrived at Arpinum, and my brother was come to me, our first and chief discourse was on you; which gave me an opportunity of falling upon the affair of your sister, which you and I had talked over together at Tusculum: I never saw any thing so mild and moderate as my brother was without giving the least hint of his ever having had any real cause of offence from her. The next morning we left Arpinum; and that day being a festival, Quintus was obliged to spend it at Arcanum, where I dined with him, but went on afterwards to Aquinum. You know this villa of his: as soon as we came thither, Quintus said to his wife, in the civilest terms, Do you, Pomponia, invite the women, and I will send to the men: (nothing, as far as I saw, could he said more obligingly, either in his words or manner:) to which she replied, so as we all might hear it, I am but a stranger here myself: referring, I guess, to my brother's having sent Statius before us to order

<sup>1</sup> Noli putare mihi aliam consolationem esse hujus ingentis molestiæ, nisi quod spere non longiorum annus fore. Hoc me ita velle multi non credunt ex consuetudine aliorum. Tu qui scis, omnem diligentiam adhibebis, tum scilicet, cum id agi debebit. Ibid. §.

A. Urb. 702. Cic. 56. Cos.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

the villas in those parts; and had invited and pressed Cicero to spend some days with him upon his journey: they produced great satisfaction on both sides from this interview, for the opportunity of conferring together, with all freedom, on the present state of the Republic, which was to be their subject: though Cicero expected, also, to get some lessons of the military kind, from this renowned commander. He promised Atticus an account of this conference; but the particulars being too delicate to be communicated by letter, he acquainted him only, in general, that he found Pompey an excellent citizen, and provided for all events which could possibly be apprehended<sup>1</sup>.

After three days' stay with Pompey, he proceeded to Brundisium, where he was detained for twelve days, by a slight indisposition, and the expectation of his principal officers, particularly of his lieutenant Pontinius, an experienced leader, the same who had triumphed over the Allobroges, and on whose skill he chiefly depended in his martial affairs. From Brundisium, he sailed to Actium, on the fifteenth of June; whence, partly by sea, and partly by land, he arrived at Athens on the twenty-sixth<sup>2</sup>. Here he lodged in the house of Aristus, the principal professor of the Academy; and his brother not far from him, with Xeno, another celebrated philosopher of Epicurus's school; they spent their time very agreeably; at home, in philosophical disquisitions; abroad, in viewing the buildings and antiquities of the place, with which Cicero was much delighted: there were several other men of learning, both Greeks and Romans, of the party; especially Gallus Caninius; and Patro, an eminent Epicurean and intimate friend of Atticus<sup>3</sup>.

There lived at this time, in exile, at Athens, C. Memmius, banished upon a conviction of bribery, in his suit for the consulship; who, the day before Cicero's arrival, happened to go away to Mitylene. The figure which he had borne in Rome, gave him great authority in Athens; and the council of Areo-

<sup>1</sup> Nos Tarenti, quos cum Pompeio *διαλόγους* de Repub. habuerimus ad te perscribimus. Ibid. 5.

Tarentum veni a. d. xv Kal. Jun. quod Pontinium statueram expectare, commodissimum duxi dies eos—cum Pompeio consumere; coque magis, quod ei gratum esse id videbam, qui etiam a me petierit, ut secum et apud se essem quotidie: quod concessi libenter, multos enim ejus præclaros de Repub. sermones accipiam: instruar etiam consiliis idoneis ad hoc nostrum negotium. Ibid. 6.

Ego, cum triduum cum Pompeio et apud Pompeium fuisset, proficiscebar Brundisium. —Civem illum egregium relinquebam, et ad hæc, quæ timentur, propulsanda paratissimum. Ibid. 7.

<sup>2</sup> Ad Att. 5. 8, 9.

<sup>3</sup> Valde me Athenæ delectarunt: urbs duntaxat, et urbis ornamentum, et hominum amores in te, et in nos quædam benevolentia; sed multum et philosophia—si quid est, est in Aristo apud quem eram, nam Xenonem tuum—Quinto concesseram.—Ad Att. 5. 10. Ep. Fam. 2. 8. 13. 1.

A. Urb. 702. Cis. 36. Cons.—Serr. Fulpicius Rufus. M. Claudius Marcellus.

pagus had granted him a piece of ground to build upon, where Epicurus formerly lived, and where there still remained the old ruins of his walls. But this grant had given great offence to the whole body of the Epicureans, to see the remains of their master in danger of being destroyed. They had written to Cicero, at Rome, to beg him to intercede with Memmius, to consent to a revocation of it; and now at Athens, Xeno and Patro renewed their instances, and prevailed with him to write about it, in the most effectual manner; for though Memmius had laid aside his design of building, the Arcepagites would not recall their decree without his leave<sup>1</sup>. Cicero's letter is drawn with much art and accuracy: he laughs at the trifling zeal of these philosophers, for the old rubbish and paltry ruins of their founder, yet earnestly presses Memmius to indulge them in a prejudice, contracted through weakness, not wickedness; and, though he professes an utter dislike of their philosophy, yet he recommends them, as honest, agreeable, friendly men, for whom he entertained the highest esteem<sup>2</sup>. From this letter one may observe, that the greatest difference in philosophy made no difference of friendship among the great of these times. There was not a more declared enemy to Epicurus's doctrine than Cicero: he thought it destructive of morality, and pernicious to society; but he charged this consequence to the principles, not the professors of them; with many of whom he held the strictest intimacy, and found them to be worthy, virtuous, generous friends and lovers of their country: there is a jocular letter to Trebatius, when he

## OF CICERO.

A. Urb. 702. Cic. 56. Cons.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

What law will you allege for the distribution of common right, when nothing can be common with those who measure all things by their pleasure? with what face can you swear by Jupiter; when Jupiter, you know, can never be angry with any man? and what will become of your people of Ulubrum, if you do not allow a wise man to meddle with politics? Therefore, if you are really gone off from us, I am sorry for it; but if it be convenient to pay this compliment to Pansa, forgive you; on condition, however, that you write me word what you are doing, and what you would have me do for you here<sup>1</sup>." The change of principles in Trebatius, though equivalent in effect to a change of religion with us, made no alteration in Cicero's affection for him. This was the dictate of reason to the best and wisest of the heathens; and may serve to expose the rashness of those zealots who, with the light of most Divine and benevolent religion, are perpetually insulting and persecuting their fellow-Christians, for differences of opinion, which, for the most part, are merely speculative, and without any influence on life, or the good and happiness of civil society.

After ten days spent at Athens, where Pontinius at last found him, Cicero set sail towards Asia. Upon leaving Italy, he had charged his friend Cœlius with the task of sending him the news of Rome; which Cœlius performed very punctually, by a series of letters which make a valuable part in the collection of his familiar epistles; they are polite and entertaining; full of wit and spirit: yet not flowing with that easy turn and elegance of expression, which we always find in Cicero's. The first of them, with Cicero's answer, will give us a specimen of the rest.

### M. CÆLIUS TO M. CICERO.

"According to my promise at parting, to send you an account of all the news of the town, I have provided one to collect it for you so punctually, that I am afraid, lest you should think my diligence at last too minute: but I know how curious you are: and how agreeable it is to all, who are abroad, to be informed of every thing that passes at home, though ever so trifling. I beg of you, however, not to condemn me of arrogance, for deputing another to this task; since, as busy as I now am, and as lazy as you know me to be in writing, it would be the greatest pleasure to me to be employed in any thing that revives the remembrance of you: at the packet itself, which I have sent, will, I imagine, rea-

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<sup>1</sup> Ibid. 7. 12.

A. U. C. 702. C. c. 76. Cons. Serv. Sulpicius Rufus. M. Claudius Marcellus

dily excuse me: for what leisure would it require, not only to transcribe, but to attend even to the contents of it? there are all the decrees of the senate, edicts, plays, rumours: if the sample does not please you, pray let me know it, that I may not give you trouble at my cost. If any thing important happens in the Republic, above the reach of these hackney writers, I will send you an account of it myself: in what manner it was transacted; what speculations are raised upon it: what effects apprehended: at present, there is no great expectation of any thing: as to those rumours, which were so warm at Cumæ, of assembling the colonies beyond the Po, when I came to Rome, I heard not a syllable about them. Marcellus, too, because he has not yet made any motion for a successor to the two Gauls, but puts it off, as he told me himself, to the first of June, has revived the same talk concerning him, which was stirring when we were at Rome together. If you saw Pompey, as you designed to do, pray send me word in what temper you found him; what conversation he had with you; what inclination he shewed; for he is apt to think one thing, and say another; yet has not wit enough to conceal what he really means. As for Cæsar, there are many ugly reports about him, but propagated only in whispers: some say, that he has lost all his horse; which I take, indeed, to be true: others, that the seventh legion has been beaten; and that he himself is besieged by the Bellovaci, and cut off from the rest of his army. There is nothing yet certain; nor are these uncertain stories publicly talked of; but among the

## OF CICERO.

A. Urb. 702. Clc 56. Cons.—Serr. Salpicius Rufus. M. Claudius Marcellus.

and me the matches of gladiators; the adjournments of causes; and Chrestus's news-letter; and what nobody dares mention to me when at Rome? see how much I ascribe to you in my judgment: nor indeed without reason, for I have never yet met with a better head for politics: I would not have you write what passes every day in public, though ever so important, unless it happen to affect myself: others will write it; many bring accounts of it; and fame itself conveys a great part to me: I expect from you, neither the past, nor the present; but from one, who sees a great way before him, the future only; that when I have before me, in your letters, the plan of the Republic, I may be able to judge what sort of edifice it will be. Nor have I hitherto, indeed, any cause to complain of you: for nothing has yet happened, which you could foresee better than any of us; especially myself, who spent several days with Pompey, in conversing on nothing else but the Republic; which it is neither possible nor proper for me to explain by letter: take this only from me: that Pompey is an excellent citizen, prepared, both with courage and counsel, for all events which can be foreseen: wherefore give yourself up to the man; believe me, he will embrace you; for he now holds the same opinion with us, of good and bad citizens. After I had been ten days at Athens, where our friend Gallus Caninius was much with me, I left it on the sixth of July, when I sent away this letter. As I earnestly recommend all my affairs to you, so nothing more particularly, than that the time of my provincial command be not prolonged. This is every thing to me; which, when, and how, and by whom it is to be managed, you will be the best able to contrive. Adieu<sup>1</sup>."

He landed at Ephesus on the twenty-second of July, after a slow but safe passage of fifteen days; the tediousness of which was agreeably relieved by touching, on the way, at several of the islands of the *Ægean* sea, of which he sends a kind of journal to Atticus<sup>2</sup>. Many deputations from the cities of Asia, and a great concourse of people, came to meet him as far as Samos; but a much greater still was expecting his landing at Ephesus. The Greeks flocked eagerly, from all parts, to see a man so celebrated through the empire for the fame of his learning and eloquence; so that all his boastings, as he merrily says, of many years past, were now brought to the test<sup>3</sup>. After reposing himself, for three days, at Ephesus, he

<sup>1</sup> Ibid. 2. 8.

<sup>2</sup> *Ephesum* venimus a. d. xi. Kal. Sext. Ad Att. 5. 13. vid. it. ib. 12.

<sup>3</sup> De concursu legationum, privatorum, et de incredibili multitudine, quæ mihi jam Sami, sed mirabilem in modum Ephesi præsto fuit, aut te audire puto—ex quo te intelligere certo scio multorum annorum ostentationes mea nunc in discrimen esse adductas. Ibid. 13.

A. U. C. 702. Cic. 36. 1. 1. — *Serv. Sulpicius Rufus.* M. Claudius Marcellus

marched forward towards his province; and on the last of July arrived at Laodicea, one of the capital cities of his jurisdiction. From this moment, the date of his government commenced, which he bids Atticus take notice of, that he might know how to compute the precise extent of his annual term<sup>1</sup>.

It was Cicero's resolution, in this provincial command, to practise those admirable rules, which he had drawn up formerly for his brother; and from an employment, wholly tedious and disagreeable to him, to derive fresh glory upon his character, by leaving the innocence and integrity of his administration as a pattern of governing to all succeeding proconsuls. It had always been the custom, when any governors went abroad to their provinces, that the countries through which they passed, should defray all the charges of their journey: but Cicero no sooner set his foot on foreign ground, than he forbade all expense whatsoever, public or private, to be made either upon himself, or any of his company, which raised a great admiration of him in all the cities of Greece<sup>2</sup>. In Asia he did the same, not suffering his officers to accept what was due to them, even by law, forage and wood for firing, or any thing else, but mere house-room, with four beds, which he remitted also, as oft as it was practicable, and obliged them to lodge in their tents; and, by his example, and constant exhortations, brought his lieutenants, tribunes, and præfects, so fully into his measures, that they all concurred with him, he says, wonderfully, in a jealous concern for his honour<sup>3</sup>.

Being desirous to put himself at the head of his army, before the season of action was over, he spent but little time

## OF CICERO.

A. Urb. 702. Clæ. 36. Com.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

Comagene, (which was confirmed from the other princes of those parts) that the Parthians had passed the Euphrates, with mighty force, in order to invade the Roman territory, under the command of Pacorus the king's son. Upon this news, he marched towards Cilicia, to secure his province from the inroads of the enemy, or any commotions within: but as all access to it was difficult, except on the side of Cappadocia, an open country, and not well provided, he took his route through that kingdom, and encamped in that part of it, which bordered upon Cilicia, near to the town of Cybistra, at the foot of Mount Taurus. His army, as it is said above, consisted of about twelve thousand foot, and two thousand six hundred horse, besides the auxiliary troops of the neighbouring states, and especially of Deiotarus, king of Galatia, the most faithful ally of Rome, and Cicero's particular friend, whose whole forces he would depend upon at any warning<sup>1</sup>.

While he lay in this camp, he had an opportunity of executing a special commission, with which he was charged by the senate, to take Ariobarzanes, king of Cappadocia, under his particular protection, and provide for the security of his person and government: in honour of whom the senate had decreed, what they had never done before to any foreign prince, that his safety was of great concern to the senate and people of Rome. His father had been killed by the treachery of his subjects, and a conspiracy of the same kind was apprehended against the son; Cicero, therefore, in a council of his officers, gave the king an account of the decree of the senate, and that in consequence of it, he was then ready to assist him with his troops and authority, in any measures that should be concerted for the safety and quiet of his kingdom.—The king, after great professions of his thanks and duty to the senate, for the honour of their decree, and to Cicero himself, for his care in the execution of it, said, that he knew no occasion for giving him any particular trouble at that time; nor had any suspicion of any design against his life or crown; upon which Cicero, after congratulating him upon the tranquillity of his affairs, advised him, however, to remember his father's fate, and, from the admonition of the senate, to be particularly vigilant in the care of his person, and so they parted. But the

<sup>1</sup> In castra veni a. d. vii. Kal. Sept. a. d. m. exercitum lustravi. Ex his castris cum graves de Parthis nuncii venirent, perrexi in Ciliciam, per Cappadociæ partem eam, quæ Ciliciam attingit.—

Regis Antiochi Comageni legati primi mihi nuntiaverunt Parthorum magnas copias Euphratem transire cepisse.—Cum exercitum in Ciliciam ducerem—mihi litteræ rediit a Tarcondimeto, qui fidelissimus socius trans Taurum Populi Rom. existimatur, Pacorum, Orodi Regis Parthorum filium, cum permagno equitatu transire Euphratem, &c. Ep. Fam. 15. 1.

Eodem die ab Jamblichæ, Phylarchæ Arabum—litteræ de eisdem rebus, &c.

Q. LUTATIUS CATULUS. M. SERVILIUS Sulpicius Rufus. M. Claudius Marcellus.

next morning, the king returned early to the camp, attended by his brother and counsellors, and, with many tears, implored the protection of Cicero, and the benefit of the senate's decree; declaring, that he had received undoubted intelligence of a plot, which those who were privy to it, durst not venture to discover till Cicero's arrival in the country: but, trusting to his authority, had now given full information of it: and that his brother, who was present, and ready to confirm what he said, had been solicited to enter into it by the offer of the crown: he begged, therefore, that some of Cicero's troops might be left with him for his better guard and defence. Cicero told him, that under the present alarm of the Parthian war, he could not possibly lend him any part of his army: that since the conspiracy was detected, his own forces would be sufficient for preventing the effects of it: that he should learn to act the king, by shewing a proper concern for his own life, and exert his regal power in punishing the authors of the plot, and pardoning all the rest: that he need not apprehend any farther danger when his people were acquainted with the senate's decree, and saw a Roman army so near to them and ready to put it in execution: and having thus encouraged and comforted the king, he marched towards Cilicia, and gave an account of this accident, and of the motions of the Parthians, in two public letters to the consuls and the senate; he added a private letter also to Cato, who was a particular favourer and patron of Ariobarzanes, in which he informed him, that he had not only secured the king's person from any attempt, but had taken care, that he should reign, for the future, with honour

A. Urb. 702. Cn. M. Coss.—Suv. Sulpicius Rufus. M. Claudius Marcellus.

policy to both sides; to the princes, for the opportunity of engaging to their interests the most powerful men of the Republic, by a kind of honourable pension; to the Romans, for the convenience of placing their money where it was sure to bring the greatest return of profit. The ordinary interest of these provincial loans was one per cent. by the month, with interest upon interest: this was the lowest; but, in extraordinary or hazardous cases, it was frequently four times as much. Pompey received monthly from this very king, above six thousand pounds sterling, which yet was short of his full interest. Brutus, also, had lent him a very large sum, and earnestly desired Cicero to procure the payment of it, with the arrears of interest: but Pompey's agents were so pressing, and the king so needy, that though Cicero solicited Brutus's affair very heartily, he had little hopes of getting any thing for him: when Ariobarzanes came, therefore, to offer him the same present of money which he had usually made to every other governor, he generously refused it, and desired only, that, instead of giving it to him, it might be paid to Brutus; but the poor prince was so distressed that he excused himself, by the necessity which he was under of satisfying some other more pressing demands; so that Cicero gives a sad account of his negotiation, in a long letter to Atticus, who had warmly recommended Brutus's interests to him.

"I come now," says he, "to Brutus; whom, by your authority, I embraced with inclination, and began even to love; but—what am I going to say? I recal myself, lest I offend you—do not think, that I ever entered into any thing more willingly, or took more pains, than in what he recommended to me. He gave me a memorial of the particulars, which you had talked over with me before. I pursued your instructions exactly; in the first place, I pressed Ariobarzanes, to give that money to Brutus which he promised to me: as long as the king continued with me, all things looked well; but he was afterwards teased by six hundred of Pompey's agents; and Pompey, for other reasons, can do more with him than all the world besides; but especially, when it is imagined that he is to be sent to the Parthian war: they now pay Pompey thirty-three Attic talents per month, out of the taxes, though this falls short of a month's interest; but our friend Cnæus takes it calmly; and is content to abate somewhat of the interest, without pressing for the principal. As for others, he neither does, nor can pay any man: for he has no treasury, no revenues: he raises taxes by Appius's method of capitation: but these are scarce sufficient for Pompey's monthly pay: two or three of the king's friends are very rich; but they hold their own

A. U. C. 702. Ch. 56. Cons.—Serr. Sulpicius Rufus. M. Claudius Marcellus

as closely as either you or I.—I do not forbear, however, to ask, urge, and chide him, by letters: king Driotarus also told me, that he had sent people to him on purpose, to solicit Brutus; but they brought him word back, that he had ready no money: which I take, indeed, to be the case; that nothing is more drained than his kingdom; nothing poorer than the king.

But Brutus had recommended another affair of the same nature to Cicero, which gave him much more trouble. The city of Salamis, in Cyprus, owed to two of his friends, who pretended, Scaptius and Matinius, above twenty thousand pounds sterling, upon bond, at a most extravagant interest, and he begged of Cicero to take their persons and concerns under his special protection. Appius, who was Brutus's father-in-law, had granted every thing which was asked to Scaptius, a præfecture in Cyprus, with some troops of horse, with which he miserably harassed the poor Salaminians, in order to force them to comply with his unreasonable demands: for he shut up their whole senate in the council-room, till five of them were starved to death with hunger. Brutus laboured to place him in the same degree of favour with Cicero: but Cicero being informed of this violence at Ephesus, by a deputation from Salamis, made it the first act of his government to recall the troops from Cyprus, and put an end to Scaptius's præfecture, having laid it down for a rule, to grant no command to any man who was concerned in trade, or negotiating money in the province: to give satisfaction, however, to Brutus, he enjoined the Salaminians to pay off Scaptius's bond, which

## OF CICERO.

702. Cic. 56. Cons.—Serr. Sulpicius Rufus. M. Claudius Marcellus.

the repeated instances of Brutus and Atticus, he was ed to over-rule it; though Brutus, in order to move more effectually, thought proper to confess, what he long dissembled, that the debt was really his own, and only his agent in it<sup>1</sup>. This surprised Cicero still d though he had a warm inclination to oblige Brutus, ould not consent to so flagrant an injustice, but makes and heavy complaints of it in his letters to Atticus.— are now," says he, in one of them, "the ground of uct; if Brutus does not approve it, I see no reason ould love him; but I am sure it will be approved by 'Cato'." In another—"If Brutus thinks that I ought him four per cent. when, by edict, I have decreed but gh all the province, and that to the satisfaction of the asurers; if he complains, that I denied a præfecture to erved in trade, which I denied, for that reason, to md Lenius, and to Sex. Statius, though Torquatus for the one, and Pompey himself for the other, yet disgusting either of them; if he takes it ill that I re- ie troops of horse out of Cyprus, I shall be sorry, hat he has any occasion to be angry with me; but re, not to find him the man that I took him to be.—

have you to know, however, that I have not forgot i intimated to me in several of your letters, that if I back nothing else from the province, but Brutus's p, that would be enough: let it be so, since you will o: yet it must always be with this exception, as far as done, without my committing any wrong—<sup>2</sup>." In a

How, my dear Atticus! you, who applaud my in- and good conduct, and are vexed sometimes, you say, are not with me; how can such a thing, as Ennius be out of your mouth, to desire me to grant troops to , for the sake of extorting money? could you, if you h me, suffer me to do it, if I would?—if I really had b a thing, with what face could I ever read again, or

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100 tempore ipso impingit mihi epistolam Scaptius Bruti, rem illam suo : quod nec mihi unquam Brutus dixerat nec tibi—Ibid. nunquam ex illo pecuniam esse suam. Ibid.

ocam causam; quæ si Bruto non probatur, nescio cur illum amemus: sed is certe probabitur. Ibid. 5. 21.

is putabit me quaternas centesimas oportuisse decernere, qui in tota pro- las observarem, itaque edixissem, idque etiam acerbissimis feneratoribus si præfecturam negotiatori denegatam queretur, quod ego Torquato nostro in Pompeio ipsi in S. Statio negavi, et is probavi; si equites deductos molesto am eundem dolorem, mihi illum irasci, sed multo majorem, non esse cum m putassem.—Sed plane te intelligere volui, mihi non excidisse illud, quod libradam litteris scripsisses, si nihil aliud de hac Provincia nisi illius benevo- rtatem, mihi id satis esse. Sit nunc, quoniam ita tu vis; sed tamen cum eo sine peccato meo fiat. Ibid.

A. Urb 702. Cic. 56. Com.—Serr. Sulpicius Rufus. M. Claudius Marcellus

touch those books of mine, with which you are so pleased!" He tells him, likewise, in confidence, that Brutus's letters to him, even when he was asking favours, were unmannerly, churlish, and arrogant; without regarding what, or to whom he was writing; and if he continued in that humour—"you may love him alone," says he, "if you please, you shall have no rival of me; but he will come, I believe, to a better mind." But to shew, after all, what a real inclination he had to oblige him, he never left urging king Antiochus, till he had squeezed from him a hundred talents part of Brutus's debt, or about twenty thousand pounds; the same sum, probably, which had been destined to Cicero himself.

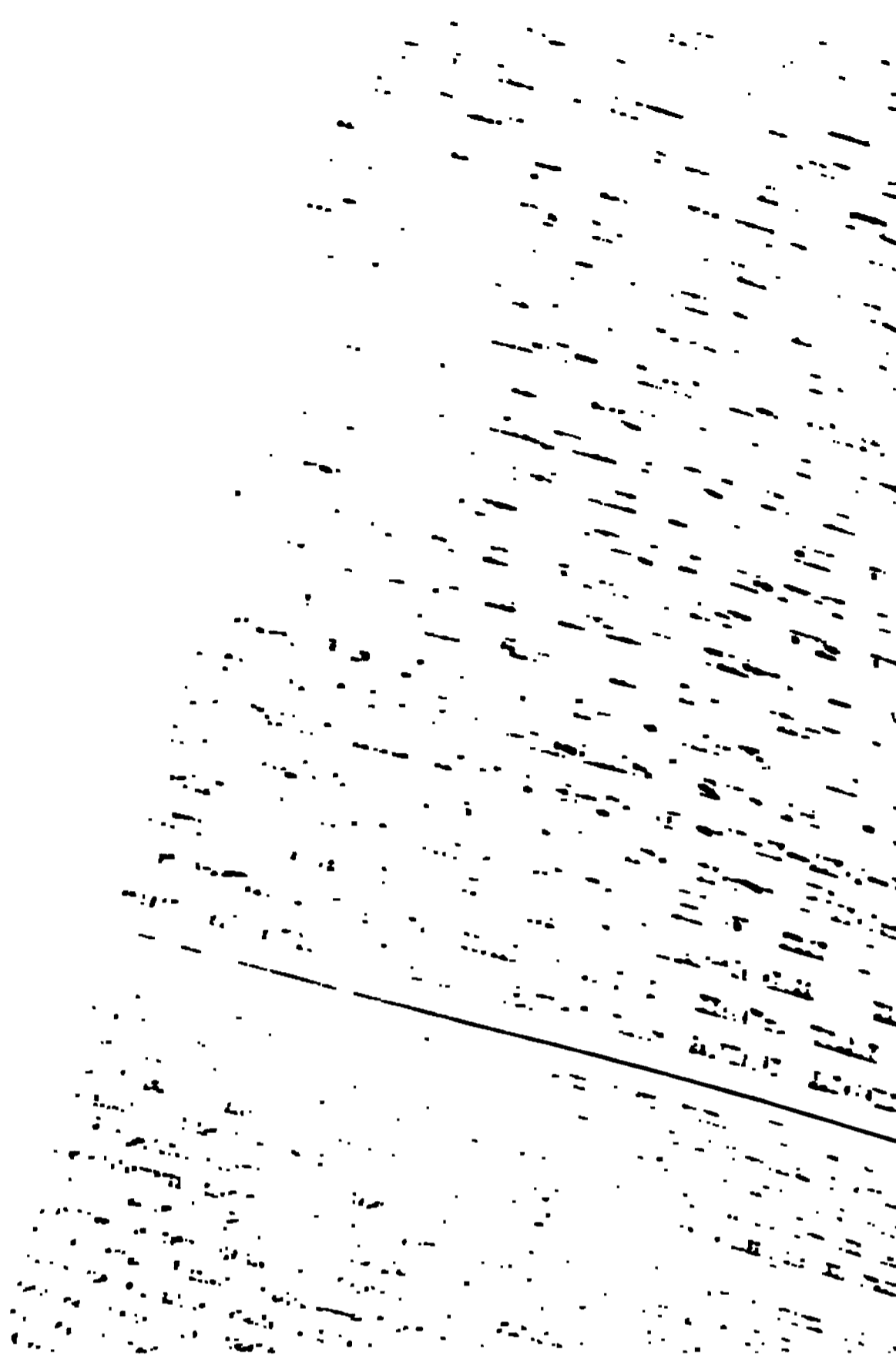
While he lay encamped in Cappadocia, expecting what the Parthians would move, he received an account, that they had taken a different route, and were advanced to Antioch in Syria, where they held C. Cassius blocked up; and the detachment of them had actually penetrated into Cilicia, where they were routed, and cut off by those troops which were to guard the country. Upon this he presently decamped, by great journeys over Mount Taurus, marched in all to possess himself of the passes of Amanus; a great and high mountain, lying between Syria and Cilicia, and the common boundary of them both. By this march, and the approach of his army to the neighbourhood of Syria, the Parthians discouraged, retired from Antioch; which gave Cassius a opportunity of falling upon them in their retreat, and gain considerable advantage, in which one of their principal

*Urb. 702. Cic. 56. Cons.—Serr. Sulpicius Rufus. M. Claudius Marcellus.*

Crassus had made terrible at Rome, Cicero's friends, who no great opinion of his military talents, were in some pain his safety and success: but now that he found himself aged, and pushed to the necessity of acting the general, he was to have wanted neither the courage nor conduct of an experienced leader. In a letter to Atticus, dated from his camp—"We are in great spirits," says he, "and, as our affairs are good, have no distrust of an engagement: we are securely encamped, with plenty of provisions, and in sight almost of Cilicia; with a small army indeed, but, as I have reason to believe, entirely well affected to me; which I shall double by the accession of Deiotarus, who is upon the road to join me: I have the allies more firmly attached to me, than any governor ever had: they are wonderfully taken with my business and abstinence: we are making new levies of citizens, and establishing magazines: if there be occasion for fighting, we shall not decline it; if not, shall defend ourselves by the strength of our posts: wherefore, be of good heart, for I see, as much as if you were with me, the sympathy of your love for me!"

But the danger of the Parthians being over, for this season, Cicero resolved, that his labour should not be lost, and his army dismissed, without attempting something of moment. The inhabitants of the mountains, close to which he now lay, were a fierce, untamed race of banditti, or freebooters, who had never submitted to the Roman power, but lived in perpetual defiance of it, trusting to their forts and castles, which were supposed to be impregnable from the strength of their situation. He thought it, therefore, of no small importance to the empire, to reduce them to a state of subjection; and, in order to conceal his design, and take them unprovided, he drew off his forces, on pretence of marching to the distant parts of Cilicia; but, after a day's journey, stopped short, and having refreshed his army and left his baggage behind, turned back again in the night with the utmost celerity, and reached Amanus before day, on the thirteenth of October. He divided his troops among his four lieutenants, and himself, accompanied by his brother, led up one part of them, and so coming upon the natives by surprise, they easily killed or made them all prisoners: they took six strong forts, and burned many more; but the capital of the mountain, Erana, made a brave resistance, and held out from break of day to four in the afternoon. Upon this success, Cicero was saluted emperor, and sat down again at the foot of the hills, where he

<sup>1</sup> *Ibid.* 5. 18.



## OF CICERO.

Dis. 56. Com.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

same spirit and fierceness, called *Tiburani*, ter-  
fate of *Pindenissum*, voluntarily submitted, and  
; so that Cicero sent his army into winter quar-  
a command of his brother, into those parts of the  
h were thought the most turbulent<sup>1</sup>.

was engaged in this expedition, *Papirius Pæstus*,  
t and Epicurean, with whom he had a particular  
correspondence of facetious letters, sent him some  
actions in the way of raillery; to which Cicero  
he same jocose manner: "Your letter," says he,  
e a complete commander: I was wholly ignorant  
great skill in the art of war; but perceive, that  
d *Pyrrhus* and *Cineas*. Wherefore I intend to  
ecepts, and withal, to have some ships in readi-  
ast; for they deny that there can be any better  
st the Parthian horse. But raillery apart; you  
at a general you have to deal with: for, in this  
have reduced to practice, what I had worn out  
eading, the whole institution of *Cyrus*," &c.<sup>2</sup>  
exploits spread Cicero's fame into Syria, where  
ust arrived to take upon him the command; but  
lose within the gates of *Antioch*, till the country  
all the Parthians: his envy of Cicero's success,  
peror, made him impatient to purchase the same  
same service, on the Syrian side of the moun-  
but he had the misfortune to be repulsed in his  
the entire loss of the first cohort, and several  
ction, which Cicero calls an ugly blow, both for  
he effect of it<sup>3</sup>.

ero had obtained what he calls a just victory at  
in consequence of it, the appellation of emperor,  
med from this time; yet he sent no public ac-

issent: cum et fugitivos reciperent, et Parthorum adventum acer-  
l existimationem imperii pertinere arbitratus sum comprimere eorum  
fossa circumdedit, sex castellis, castrisque maximis sepsi, aggere,  
ignavi, ususque tormentis multis, multis sagittariis, magno labore  
agesimo die rem confeci. Ep. Fam. 15. 4.

*Pindenissæ*? qui sunt? inquit: nomen audiui nunquam. Quid ego  
um, *Ætoliæ*, aut *Macedoniæ* reddere? hoc jam sic habeto, nec  
a negotia geri potuisse, &c. Ad Att. 5. 20.

t Saturnalibus tertiis, cum hæc scribebam in tribunali, res erat ad

si pari scelere et audaci *Tiburani* ab his, *Pindenissæ* capto, obsides  
hiberna dimisi. Q. Fratrem negotio preposui, ut in vicis aut captis  
reitus collocaretur. Ep. Fam. 15. 4.

nostrum nomen in gratia. Venit interim *Bibulus*. Credo voluit  
i nobis esse par. In eodem *Amano* cepit laureolam in mustaceo  
hortem primam totam perdidit—sauc plagam odiosam acceperat tum  
d Att. 5. 20.

A. Urb. 702. Cic. 50. Cons.—Serr. Sulpicius Rufus. M. Claudius Marcellus

count of it to Rome, till after the affair of Pindarius, an exploit of more eclat and importance; for which he expected the honour of a thanksgiving, and began to entertain hopes even of a triumph. His public letter is lost, but that loss is supplied by a particular narrative of the whole action, in a private letter to Cato; the design of paying this compliment to Cato, was to engage his vote and concurrence to the decree of the supplication; and, by the pains which he takes to obtain it, where he was sure of gaining his point without it, shews the high opinion which he had of Cato's authority, and how desirous he was to have the testimony of it on his side. But Cato was not to be moved from his purpose by compliments or motives of friendship: he was an enemy, by principle, to all decrees of this kind, and thought them bestowed too cheaply, and prostituted to occasions unworthy of them: so that when Cicero's letters came under deliberation, though he spoke with all imaginable honour and respect of Cicero, and highly extolled both his civil and military administration, yet he voted against the supplication; which was decreed, however, without any other dissenting voice, except that of Favonius, who loved always to mimic Cato, and of Hirrus, who had a personal quarrel with Cicero: yet, when the vote was over, Cato himself assisted in drawing up the decree, and had his name inserted in it; which was the usual mark of a particular approbation of the thing, and friendship to the person in whose favour it passed'. But Cato's answer to Cicero's letter will shew the temper of the man, and the grounds on which he acted on this occasion.

M. CATO TO M. T. CICERO, EMPEROR.

'In compliance with what both the Republic and our private

A. Urb. 702. Cl. 66. Cato—Cerv. Salpictus Rufus. M. Claudius Marcellus.

the recovery of the allies to their duty and affection to our empire. I am glad, however, that a supplication is decreed; where chance has no part, but the whole was owing to your consummate prudence and moderation, you are better pleased, that we should hold ourselves indebted to the gods, than to you. But if you think that a supplication will pave the way to a triumph, and for that reason choose that fortune should have the praise rather than yourself; yet a triumph does not always follow a supplication, and it is much more honourable than any triumph, for the senate to decree, that a province is preserved to the empire by the mildness and innocence of the general, rather than by the force of arms, and the favour of the gods. This was the purpose of my vote; and I have now employed more words than it is my custom to do, that you might perceive, what I chiefly wish to testify, how desirous I am to convince you, that, in regard to your glory, I had a mind to do what I took to be the most honourable for you; yet rejoice to see that done, which you are the most pleased with. Adieu, and still love me; and, agreeably to the course which you have begun, continue your integrity and diligence to the allies and the Republic<sup>1</sup>."

Cæsar was delighted to hear of Cato's stiffness, in hopes that it would create a coldness between him and Cicero; and, in a congratulatory letter to Cicero, upon the success of his arms, and the supplication decreed to him, took care to aggravate the rudeness and ingratitude of Cato<sup>2</sup>. Cicero himself was highly disgusted at it; especially when Cato, soon afterwards, voted a supplication to his son-in-law, Bibulus, who had done much less to deserve it. "Cato," says he, "was shamefully malicious; he gave me what I did not ask, a character of integrity, justice, clemency; but denied me what I did:—yet this same man voted a supplication of twenty days to Bibulus. Pardon me, if I cannot bear this usage<sup>3</sup>;"—yet as he had a good opinion of Cato in the main, and a farther suit to make to the senate in the demand of a triumph, he chose to dissemble his resentment, and returned him a civil answer, to signify his satisfaction and thanks for what he had thought fit to do<sup>4</sup>.

Cicero's campaign ended just so, as Cælius had wished in one of his letters to him; with fighting enough to give a claim

<sup>1</sup> Ep. Fam. 15. 5.

<sup>2</sup> Itaque Cæsar iis litteris, quibus mihi gratulatur, et omnia pollicetur, quo modo exultat Catonis in me ingratusissimi injuria. Ad Att. 7. 2.

<sup>3</sup> Aveo scire—Cato quid agat: qui quidem in me turpiter fuit malevolus. Dedit integritatis, justitiæ, clementiæ, fidei testimonium, quod non quærebam; quod postulabam, negavit—at hic idem Bibulo dierum viginti. Ignosce mihi, non possum hac ferre. Ibid.

<sup>4</sup> Ep. Fam. 15. 6.

A. U. C. 702. C. C. 7. Cons.—Serr. Sulpicius Rufus. M. Claudius Marcellus.

to the laurel, yet without the risk of a battle with the Parthians<sup>1</sup>. During these months of action, he sent away the two young Ciceros, the son and nephew, to king Deiotarus's court, under the conduct of the king's son, who came on purpose to invite them. They were kept strictly to their books and exercises, and made great proficiency in both; though the one of them, as Cicero says, wanted the bit, the other the spur.—Their tutor, Dionysius, attended them, a man of great learning and probity, but, as his young pupils complained, horribly passionate<sup>2</sup>. Deiotarus himself was setting forward to join Cicero, with all his forces, upon the first news of the Parthian irruption. He had with him thirty cohorts, of four hundred men each, armed and disciplined after the Roman manner, with two thousand horse: but the Parthian alarm being over, Cicero sent couriers to meet him on the road, in order to prevent his marching to no purpose, so far from his own dominions<sup>3</sup>. The old king, however, seems to have brought the children back again in person, for the opportunity of paying his compliments, and spending some time with his friend, for, by what Cicero intimates, they appear to have had an interview<sup>4</sup>.

The remaining part of Cicero's government was employed in the civil affairs of the province, where his whole care was, to ease the several cities and districts of that excessive load of debts, in which the avarice and rapaciousness of former governors had involved them. He laid it down for the fixed rule of his administration, not to suffer any money to be ex-

U. S. 702. Ch. 56. Cons.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

ties of the province used to pay to all their proconsuls large contributions for being exempted from furnishing winter quarters to the army.—Cyprus alone paid yearly, on this single account, two hundred talents, or about forty thousand pounds: Cicero remitted this whole tax to them, which alone made vast revenue; and applied all the customary perquisites of his office to the relief of the oppressed province: yet for all his services and generosity, which amazed the poor people, he would accept no honours, but what were merely verbal; prohibiting all expensive monuments, as statues, temples, brazen horses, &c. which, by the flattery of Asia, used to be erected in course to all governors, though ever so corrupt and oppressive. While he was upon his visitation of the Asiatic districts, there happened to be a kind of famine in the country; yet wherever he came, he not only provided for his family, at his own expense, but prevailed with the merchants and dealers, who had any quantity of corn in their storehouses, to supply the people with it on easy terms<sup>1</sup>; living himself, all the while, splendidly and hospitably, and keeping an open table, not only for all the Roman officers, but the gentry of the province<sup>2</sup>. In the following letter to Atticus, he gave him a summary view of his manner of governing.

“I see,” says he, “that you are much pleased with my moderation and abstinence; but you would be much more so if you were with me, especially at Laodicea, where I did wonders at the sessions, which I have just held, for the affairs of the dioceses, from the thirteenth of February to the first of May. Many cities are wholly freed from all their debts, many greatly eased, and all, by being allowed to govern themselves by their own laws, have recovered new life. There are two ways by which I have put them into a capacity of freeing, or of easing themselves at least of their debts; the one is, by suffering no expense at all to be made on the account of my government. When I say none at all, I speak not hyperboli-

<sup>1</sup> Cave putas quicquam homines magis unquam esse miratos, quam nullum teruntium, me obtinente provinciam, sumptus factum esse, nec in Kemp. nec in quemquam meorum, præterquam in L. Tullium, Legatum. In cæteroqui abstinens (sed Julia lege transitiva, semel tamen in diem, non ut alii solebant omnibus vicis) facit ut mihi excipiendus sit, cum teruntium nego sumptus factum. Præter eum accepit nemo. Has sordes a nostro Q. Titinio accepimus. Ad Att. 5. 21.

Civitates locupletes, ne in hiberna milites reciperent, magnas pecunias dabant. Cyprii talenta Attica cc. Qua ex insula (non ὑπερβολικῶς sed verissime loquor) summus nullus me obtinente erogabitur. Ob hæc beneficia, quibus obstupescunt, nullos honores mihi, nisi verborum, decerni sino. Statuas, sana τίσμιντα, prohibeo. —Ibid.

Fames, quæ erat in hac mea Asia, mihi optanda fuerit. Quacunque iter feci, nulla vi,—auctoritate et cohortatione perfeci, ut et Græci et Cives Romani, qui frumentum comprehenderant, magnam numerum populis pollicerentur.—Ibid.

<sup>2</sup> Ita vivam, ut maximos sumptus facio. Mirifice delector hoc instituto. Ibid. 5. 15.

A. Urb. 702. Cic. 56. Com.—Serr. Sulpicius Rufus. M. Claudius Marcellus

cally; there is not so much as a farthing: it is incredible to think what relief they have found from this single article. The other is this: their own Greek magistrates had strangely abused and plundered them. I examined every one of them, who had borne any office for ten years past: they all plainly confessed; and, without the ignominy of a public conviction, made restitution of the money which they had pillaged: so that the people, who had paid nothing to our farmers for the present lustrum, have now paid the arrears of the last, even without murmuring. This has placed me in high favour with the publicans: a grateful set of men, you'll say: I have really found them such.—The rest of my jurisdiction shall be managed with the same address; and create the same admiration of my clemency and easiness. There is no difficulty of access to me, as there is to all other provincial governors; no introduction by my chamberlain: I am always up before day, and walking in my hall, with my doors open, as I used to do when a candidate at Rome: this is great and gracious here; though not at all troublesome to me, from my old habit and discipline," &c.

This method of governing gave no small umbrage to Appian; who considered it as a reproach upon himself, and sent several querulous letters to Cicero, because he had reversed some of his constitutions: "And no wonder," says Cicero, "that he is displeased with my manner, for what can be more unlike, than his administration and mine? Under him the province was drained by expenses and exactions; under me, not a penny

A. Urb. 702. Cic. 54. Com.—Serr. Sulpicius Rufus. M. Claudius Marcellus.

greatest professions of honour and respect towards Appius, even when he found it necessary to rescind his decrees; considering himself only, he says, as a second physician called in to a case of sickness, where he found it necessary to change the method of cure, and when the patient had been brought low by evacuations, and blood-letting, to apply all kinds of purgative and restoring medicines<sup>1</sup>.

As soon as the government of Cilicia was allotted to him, he acquainted Appius with it by letter, begging of him, that, as no man could succeed to it with a more friendly disposition than himself, so Appius would deliver up the province to him, in such a condition, as one friend would expect to receive it from another<sup>2</sup>: in answer to which, Appius, having intimated some desire of an interview, Cicero took occasion to press it with much earnestness, as a thing of great service to them both; and that it might not be defeated, gave him an account of all his stages and motions, and offered to regulate them in such a manner, as to make the place of their meeting the most agreeable to Appius's convenience: but Appius being disgusted with the first edicts, which Cicero published, resolved, for that reason, to disappoint him; and, as Cicero advanced into the province, retired still to the remoter parts of it, and contrived to come upon him, at last, so suddenly, that Cicero had not warning enough given to go out and meet him; which Appius laid hold of, as a fresh ground of complaint against Cicero's pride, for refusing that common piece of respect to him<sup>3</sup>.

This provoked Cicero to expostulate with him with great spirit—"I was informed," says he, "by one of my apparitors, that you complained of me for not coming out to meet you: I despised you, it seems, so as nothing could be prouder—when your servant came to me, near midnight, and told me, that you would be with me at Iconium before day, but could not say by which road, when there were two; I sent out your friend Varro by the one, and Q. Lepta, the commander of my artillery, by

a me amari intelligis. Quid est causæ, cur mihi non in optatis est complecti hominem, florentem ætate, opibus, honoribus, ingenio, liberis, propinquis, affinibus, amicis? Ep. Fam. 2. 13.

<sup>1</sup> Ut si Medicus, cum egrotus alii medico traditus sit, irasci velit ei medico, qui sibi successerit, et quæ ipse in curando constituerit mutet ille. Sic Appius, cum 15 ~~de pauperibus~~ provinciam curarit, sanguinem miserit, &c. Ad Att. 6. 1.

<sup>2</sup> Cum contra voluntatem meam—accidisset, ut mihi cum Imperio in Provinciam ire necesse esset—hæc una consolatio occurrebat, quod neque tibi amior, quam ego sum, quisquam posset succedere, neque ego ab ullo Provinciam accipere, qui mallet eam mihi quam maxime aptam explicatamque, &c. Ep. Fam. 3. 2.

<sup>3</sup> — me libenter ad eam partem provincie primum esse venturum, quo te maxime velle arbitrarer, &c. Ibid. 5.

Appius noster, cum meo adventare videt, profectus est Tarsum usque Laodicea. Ad Att. 5. 17.

A. Urb. 702. Cic. 56. Cons.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

the other, with instructions to each of them, to bring me timely notice of your approach, that I might come out in person to meet you. Lepta came running back presently in all haste to acquaint me, that you had already passed by the camp; upon which I went directly to Iconium, where you know the rest. Did I then refuse to come out to you? to Appius Claudius: to an emperor: then, according to ancient custom; and, above all, to my friend? I, who of all men, am apt to do more in that way than becomes my dignity? but enough of this. The same man told me, likewise, that you said, What! Appian went out to meet Lentulus: Lentulus to Appius; but Cicero would not come out to Appius. Can you then be guilty of such impertinence? a man, in my judgment of the greatest prudence, learning, experience; and, I may add, politeness too, which the Stoics rightly judge to be a virtue? do you imagine, that your Appiuses and Lentuluses are of more weight with me than the ornaments of virtue? before I had obtained those honours, which, in the opinion of the world, are thought to be the greatest, I never fondly admired those names of your's: I looked indeed upon those, who had left them to you, as great men; but after I had acquired, and borne the highest commands, so as to have nothing more to desire, either of honour or glory, I never, indeed, considered myself as your superior, but hoped, that I was become your equal: nor did Pompey, whom I prefer to all men who ever lived, nor Lentulus, whom I prefer to myself, think otherwise: if you, however, are of a different opinion, it will do you no harm to read, with some attention, what Athenodorus says on this subject,

A. Urb. 702. Cio. M. Cass.—Serr. Salpicius Rufus. M. Claudius Marcellus.

Cicero's letters to Appian make one book of his familiar epistles, the greatest part of which are of the expostulatory kind, on the subject of their mutual jealousies and complaints: in this slippery state of their friendship, an accident happened at Rome, which had like to have put an end to it. His daughter Tullia, after parting from her second husband Crassipes, as it is probably thought, by divorce<sup>1</sup>, was married, in her father's absence, to a third, P. Cornelius Dolabella: several parties had been offered to her, and, among them, Ti. Claudius Nero, who afterwards married Livia, whom Augustus took away from him: Nero made his proposals to Cicero in Cilicia, who referred him to the women, to whom he had left the management of that affair; but, before those overtures reached them, they had made up the match with Dolabella, being mightily taken with his complaisant and obsequious address<sup>2</sup>. He was a nobleman of patrician descent, and of great parts and politeness; but of a violent, daring, ambitious temper, warmly attached to Cæsar; and, by a life of pleasure and expense, which the prudence of Tullia, it was hoped, would correct, greatly distressed in his fortunes; which made Cicero very uneasy, when he came afterwards to know it<sup>3</sup>. Dolabella, at the time of this marriage, for which he made way also by the divorce of his first wife<sup>4</sup>, gave a proof of his enterprising genius, by impeaching Appian Claudius, of practices against the state, in his government of Cilicia, and of bribery and corruption in his suit for the consulship. This put a great difficulty upon Cicero, and made it natural to suspect, that he privately favoured the impeachment, where the accuser was his son-in-law: but in clearing himself of it to Appian, though he dissembled a little, perhaps, in disclaiming any part or knowledge of that match, yet he was very sincere in professing himself an utter stranger to the impeachment, and was, in truth, greatly disturbed at it. But, as from the circumstance of his

<sup>1</sup> What confirms this notion is, that Crassipes appears to have been alive at this time, and under Cicero's displeasure: who mentions him as the only senator, besides Hirrus, to whom he did not think fit to write about the affair of his supplication. *Ad Att.* 7. 1.

<sup>2</sup> *Ego dum in provincia omnibus rebus Appium orno, subito sum factus accusatoris ejus secer—sed crede mihi nihil minus putaram ego, qui de Ti. Nerone, qui mecum operat, certos homines ad mulieres miseram, qui Romam venerunt factis sponalibus. Sed hoc spero melius. Mulieres quidem valde intelligo delectari obsequio et comitate adolescentis.* *Ibid.* 6. 6.

<sup>3</sup> *Gener est suavis—quantumvis vel ingenii, vel humanitatis; satis. Reliqua quæ nostri forenda.* *Ibid.* 7. 3.

Dolabellam a te gaudeo primum laudari, deinde etiam amari. Nam ea quæ speras Tulliam æmæ prudentia posse temperari, scio cui tuæ epistolæ respondeant. *Ep. Fam.* 2. 15. it. 8. 15.

Hæc oblectabar specula, Dolabellam meum fore ab iis molestiis, quas libertate sua contraxerat, liberum. *Ibid.* 16.

<sup>4</sup> *Illud mihi occurrit, quod inter postulationem, et nominis delationem, uxor a Dolabella discessit.* *Ibid.* 8. 6.

A. Urb. 702. C. c. 36. Coss.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

succeeding to Appius in his government, he was of all men the most capable of serving or hurting him at the trial, so Pompey, who took great pains to screen Appius, was extremely desirous to engage him on their side, and had thoughts of sending one of his sons to him for that purpose: but Cicero saved them that trouble, by declaring early and openly for Appius, and promising every thing from the province that could possibly be of service to him: which he thought himself obliged to do the more forwardly, to prevent any suspicion of treachery to his friend, on the account of his new alliance<sup>1</sup>: so that Appius, instead of declining a trial, contrived to bring it on, as soon as he could: and, with that view, having dropped his pretensions to a triumph, entered the city, and offered himself to his judges, before his accuser was prepared for him, and was acquitted, without any difficulty, of both the indictments.

In a little time after his trial, he was chosen censor, together with Piso, Caesar's father-in-law, the last who bore that office during the freedom of the Republic. Clodius's law, mentioned above, which had greatly restrained the power of these magistrates, was repealed the last year, by Scipio, the consul, and their ancient authority restored to them<sup>2</sup>, which was now exercised with great rigour by Appius; who, though really a libertine, and remarkable for indulging himself in all the luxury of life, yet, by an affectation of severity, hoped to retrieve his character, and pass for an admirer of that ancient discipline, for which many of his ancestors had been celebrated. Cælius gives a pleasant account of him to Cicero: "Do you know," says he, "that the censor, Appius, is doing wonders

A. Urb. 702. Cic. 56. Com.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

ed, served only to alienate people from Pompey's cause, whom Appius was strictly allied: whilst his colleague, who foresaw that effect, chose to sit still, and suffer him disgrace the knights and senators at pleasure, which he did in great freedom; and, among others, turned Sallust, the historian, out of the senate, and was hardly restrained from giving the same affront upon Curio, which added still more hands and strength to Cæsar<sup>1</sup>.

As to the public news of the year, the grand affair, that engaged all people's thoughts, was the expectation of a breach between Cæsar and Pompey, which seemed now unavoidable, and in which all men were beginning to take part, and ranging themselves on the one side or the other. On Pompey's there was a great majority of the senate and the magistrates, with the better sort of all ranks: on Cæsar's, all the criminal and obnoxious, all who had suffered punishment, or deserved it; the greatest part of the youth, and the city mob; some of the popular tribunes, and all who were oppressed with debts; who had a leader fit for their purpose, daring, and well provided, and wanting nothing but a cause. This is Cicero's account; and Cælius's is much the same: "I see," says he, "that Pompey will have the senate, and all who judge of things; Cæsar all who live in fear and uneasiness; but there is no comparison between their armies<sup>2</sup>." Cæsar had put an end to the Gallic war, and reduced the whole province to the Roman yoke; but though his commission was near expiring, he seemed to have no thoughts of giving it up, and returning to the condition of a private subject: he pretended that he could not possibly be safe, if he parted with his army, especially while Pompey held the province of Spain, prolonged to him for five years<sup>3</sup>. The senate, in the meanwhile, in order to make him easy, had consented to let him take the consulship, without coming to sue for it in person: but when that did not satisfy him, the consul, M. Marcellus, one of his fiercest enemies, moved them to abrogate his command directly, and appoint him a successor; and, since the war was at an end, to oblige

per Deos, et quam primum luce risum veni. Lego Scantinæ judicium apud Drusum heri. Appium de tabulis et signis agere. Ep. Fam. 8. 14

<sup>1</sup> Dio, l. 40. p. 150.

<sup>2</sup> Hoc video, cum homine audacissimo, paratissimoque negotium esse: omnes damnatos, omnes ignominia affectos, omnes damnatione ignominiaque dignos illac facere. Omnem fere juventutem, omnem illam urbanam ac perlitam plebem; Tribunos valentes—omnes, qui aere alieno premantur—causam solum illa causa non habet, cæteris rebus abundat. Ad Att. 7. 3.

<sup>3</sup> Nec discordia video, Cn. Pompeium Senatui, quique res judicant, secum habiturum conferendum non esse. Ep. Fam. 8. 14.

si autem persuasum est, se salvum esse non posse, si ab exercitu recesserit.

et tamen conditionem, ut ambo exercitus tradant. Ibid.

## OF CICERO.

Orb. 702. Cic. 56. Com.—Serr. Sulpicius Rufus. M. Claudius Marcellus.

... Pompey, who affected great moderation, in whatever  
... of Caesar, was teased and urged, on all sides, to make  
... plicit declaration of his sentiments. When he called it  
... to determine any thing about Caesar's government,  
... the first of March, the term prescribed to it by law,  
... asked, what, if any one should then put a negative upon  
... he said, there was no difference whether Caesar refused  
... by the decrees of the senate, or provided men to obstruct  
... "What," says another, "if he should insist on being  
... and holding his province too?" "What," replied  
... "if my son should take a stick and cudgel me?"  
... stating the one to be as incredible, and as impious also as  
... other.

Cicero's friend, Coelius, obtained the ædileship this summer  
... his competitor Hirrus, the same who had opposed Cicero  
... augurate, and whose disappointment gave occasion to  
... jokes between them in their letters<sup>1</sup>. In his magistracy,  
... being customary to procure wild beasts, of all kinds, from  
... rent parts of the empire, for the entertainment of the city,  
... has begged of Cicero to supply him with panthers from  
... his, and to employ the Cybarites, a people of his province  
... for hunting, to catch them: "for it would be a reflec-  
... upon you," says he, "when Curio had ten panthers from  
... country, not to let me have many more." He recom-  
... ds to him, at the same time, M. Feridius, a Roman knight,  
... had an estate in Cilicia, charged with some services or  
... rent to the neighbouring cities, which he begs of him to  
... discharged, so as to make the lands free<sup>2</sup>: he seems also,  
... ave desired Cicero's consent to his levying certain contri-  
... ons upon the cities of his province, towards defraying the  
... ense of his shows at Rome, a prerogative, which the ædiles  
... ys claimed, and sometimes practised; though it was denied  
... hem by some governors, and particularly by Quintus  
... ro, in Asia, upon the advice of his brother<sup>3</sup>; in answer to all  
... sh, Cicero replied, that he was sorry to find that his actions  
... so much in the dark; that it was not yet known at Rome,  
... not a farthing had been exacted in his province, except

um interrogaretur, si qui tum intercederent: dixit hoc nihil interesse, utrum C.  
Senatui dicto audiens futurus non esset, an pararet, qui Senatum decerneret non  
tur. Quid si, inquit alius, et Consul esse et exercitum habere volet? At ille quam  
ater. Quid si filius meus sustem mihi impugere volet? Ep. Fam. 8. 8.

ibid. 2. 9, 10. it. 8. 2, 3. 9.

ere litteris omnibus tibi de Pantheris scripsi. Turpe tibi erit, Patiscum Curioni  
Pantheras misisse, te non multis partibus plures, &c. Ibid. 8. 9.

Feridium—tibi commendo. Agros, quos fructuarios habent civitates, vult tuo  
elo, quod tibi facile et honestum factu est, immunes esse. Ibid.

d Quint. Frat. 1. 1. § 9.

A. Urb. 702. Cic. 56. Cont.—Sext. Sulpicius Rufus M. Claudius Marcellus

for the payment of just debts: that it was neither fit for him to extort money, nor for Cœlius to take it, if it were designed for himself; and admonished him, who had undertaken the part of accusing others, to live himself with more caution—*as to the charge of hunting panthers*, that it was not consistent with his character to impose the charge of hunting them upon the poor people. But, though he would not break his rules for the sake of a friend, yet he took care to provide panthers for him at his own expense; and says, pleasantly, upon it, “that the beasts made a sad complaint against him, and resolved to quit the country, since no snares were laid in his province for any other creature but themselves.”

Curio likewise obtained the tribunate this summer, which he sought with no other design, as many imagined, than for the opportunity of mortifying Cæsar, against whom he had hitherto acted with great fierceness. But Cicero, who knew, from the temper and views of them both, how easy it would be to make up matters between them, took occasion to write a congratulatory letter to him upon his advancement, in which he exhorts him, with great gravity, to consider into what a dangerous crisis his tribunate had fallen, not by chance, but his own choice; what violence of the times, what variety of dangers hung over the Republic; how uncertain the events of things were; how changeable men’s minds; how much treachery and falsehood in human life—he begs of him, therefore, to beware of entering into any new councils, but to pursue and defend what he himself thought right, and not suffer himself to be drawn away by the advice of others—referring, without doubt, to M. Antony, the chief companion and corrupter of his youth. In the conclusion, he conjures him to employ his present power

## OF CICERO.

.702. Cic. 56. Cons.—Serv. Sulpicius Rufus. M. Claudius Marcellus.

od gods! how much do I long to be laughing with you  
e<sup>1</sup>."

b. 703. Cic. 57. Cons.—L. Æmilius Paulus. C. Claudius Marcellus.

new consuls being Cicero's particular friends, he wrote platatory letters to them both, upon their election, in which he begged the concurrence of their authority to the effect of his supplication; and, what he had more at heart, that they would not suffer any prolongation of his annual term; which they readily obliged him, and received his thanks also for that favour<sup>2</sup>. It was expected, that something would now be done, in relation to the two Gauls, and the appointment of a successor to Cæsar, since both the consuls proposed to be his enemies; but all attempts of that kind were ill frustrated by the intrigues of Cæsar; for when C. Marcellus began to renew the same motion, which his kinsman had made the year before, he was obstructed by his colleague Paulus and the tribune Curio, whom Cæsar had privately bribed by immense bribes, to suffer nothing prejudicial to his interests to pass during their magistracy<sup>3</sup>. He is said to have given Paulus about three hundred thousand pounds, and to Curio much more<sup>4</sup>. The first wanted it to defray the charges of his splendid buildings, which he had undertaken to raise at his own cost; the second, to clear himself of the load of his debts, which amounted to about half a million<sup>5</sup>; for he had squandered his great fortunes so effectually, in a few years, that he had no other revenue left, as Pliny says, but in the hopes of war<sup>6</sup>. These facts are mentioned by all the Roman

*Momentumque fuit mutatus Curio rerum,  
Gallorum captus spoliis et Cæsaris auro.*—Lucan. 4. 819.

Caught by the spoils of Gaul, and Cæsar's gold,  
Curio turn'd traitor, and his country sold—

Virgil applies that passage of Virgil, "*vendidit hic auro*," to the case of Curio's selling Rome to Cæsar.

Marcellus, in the mean time, was expecting, with impatience, the expiration of his annual term, but, before he could quit the office, he was obliged to see the account of all the money, which had passed through his own or his officers' hands, stated and audited; and three fair copies provided, two to be de-

*me pagella pupugit me tuo chirographo. Quid ais? Cæsarem nunc defendit  
is hoc putaret præter me? nam ita vivam, putavi.* Ibid. 13.

5. 7, 10, 11, 12, 13. <sup>3</sup> Sueton. J. Cæs. 29.

1. l. ii. p. 443.

6. *utiles acertium æris alieni.* Val. Max. 9. 1.

hū in censu habuerit, præter discordiam principum. Plin. Hist. 1. 36. 18.

A. Urb. 703. Cte. 57. Com.—L. *Æmilius Paulus*. C. *Claudius Marcellus*.

posited in two of the principal cities of his jurisdiction, and a third in the treasury at Rome.

That his whole administration, therefore, might be of a piece, he was very exact and punctual in acquitting himself of his duty, and would not indulge his officers in the use of any money beyond the legal time, or above the sum prescribed by law, as appears from his letters to some of them who complained of it. Out of the annual revenue, which was decreed to him for the use of the province, he remitted to the treasury all he had not expended, to the amount of above eight hundred thousand pounds. "This," says he, "makes my whole company groan; they imagined, that it should have been divided among themselves, as if I ought to have been a better manager for the treasures of Phrygia and Cilicia, than for our country. But they did not move me; for my own honour weighed more on me the most: yet, I have not been wanting, to do every thing in my power, that is honourable and generous to them all!"

His last concern was, to what hands he should commit the government of his province upon his leaving it, since there was no successor appointed by the senate, on account of the debates among them about the case of *Cæsar*, which disturbed all their debates, and interrupted all other business. He had no opinion of his quaestor, *C. Cælius*, a young man of noble birth, but of no great virtue or prudence; and was afraid, after his glorious administration, that, by placing so great a trust in one of his character, he should expose himself to some censure. But he had nobody about him of superior rank, who was willing to accept it, and did not care to force it upon his brother, lest that might give a handle to suspect him of some interest or partiality in the choice. He dropped the province, therefore, after some deliberation, into *Cælius's* hands, and set forward

## OF CICERO.

13. Cic. 57. Cons.—L. Æmilius Paulus. C. Claudius Marcellus.

IN a particular detail of all the news of the city—the odious reports,” says he, “about Curio and Paulus; see any danger, while Pompey stands, or I may say, while he sits, if he has but his health; but, in truth, I or my friends Curio and Paulus. If you are now, at Rome, or as soon as you come thither, I would send me a plan of the whole Republic, which may be the road, that I may form myself upon it, and re-temper to assume on my coming to the city; for advantage not to come thither a mere stranger<sup>1</sup>.” That a confidence he placed in Pompey, on whom his whole prospect, either of peace with Cæsar, or of war against him, depended: as to the intimation about his health is expressed more strongly in another letter: “all hangs upon the life of one man, who is every year by a dangerous fit of sickness<sup>2</sup>.” His father seems to have been peculiarly subject to fevers; of the returns of which, in the present situation of affairs, was an apprehension to all his party: in one of those fevers, he had lately lost his life for many days successively, all the day put up public prayers for his safety; an honour, never before paid to any man, while Rome

on the king leave of Cilicia, Cicero paid a visit to Rhodes, where, he says, of the children<sup>3</sup>. His design was to give a view of that flourishing isle, and a little exercise, at that celebrated school of eloquence, where he himself had studied with so much success under Molo. Here he received the news of Hortensius’s death<sup>4</sup>, which greatly affected him, by recalling to his mind the many glorious struggles they had sustained together at the bar, in their competition for the prize of eloquence. Hortensius reigned absolute in the Forum, when Cicero first entered it: and, as his fame was the chief spur to Cicero’s industry, so the example, which Cicero soon gave of himself, made his death, likewise, the brighter for it, by obliging him to exert the force of his genius, to maintain his ground against

<sup>1</sup> afferebantur de Curione, de Paulo: non quo ullum periculum videamus, vel etiam sedente, valeat modo. Sed mehercule Curionis et Pauli exitum vicem doleo. Formam igitur mihi totius Reip. si jam ea Roma, elim mittas, quæ mihi obviam veniat. Ex qua me fingere possum, &c.

<sup>2</sup> minus, quotannis periculose egrotantis, anima, positas omnes nostras spes l. 8. 2.

<sup>3</sup> in tempore universa Italia vota pro salute ejus, primo omnium civium, . Pat. 2. 48. Dio, p. 155.

<sup>4</sup> pro puerorum causa. Ad Att. 6. 7

<sup>5</sup> cibus deredens Rhodum venissem, et eo mihi de Q. Hortensii morto esset ne omnium majorem animo cepi dolorem. Brut. iuit.



A. Urb. 703. Cic. 57. Cons.—L. Æmilius Paulus. C. Claudius Marcellus.

being deprived of the service and authority of so experienced a statesman at so critical a conjuncture<sup>1</sup>. From Rhodes he passed on to Ephesus, whence he set sail, the first of October, and after a tedious passage, landed at Athens, on the fourteenth<sup>2</sup>. Here he lodged again in his old quarters, at the house of his friend Aristus. His predecessor, Cato, who passed also through Athens, on his return, had ordered a new portico or vestibule to be built at his cost, in the temple of the Eleusinian Ceres; which suggested a thought, likewise, to Cicero, of adding some ornament of the same kind to the academy, as a public monument of his name, as well as of his affection for the place; for he hated, he said, those false inscriptions of other people's statues<sup>3</sup>, with which the Greeks used to flatter their new masters, by effacing the old titles, and ascribing them anew to the great men of Rome. He acquainted Atticus with his design, and desired his opinion upon it; but, in all probability, it was never executed, since his stay at Athens was now very short, and his thoughts wholly bent on Italy: for as all his letters confirmed to him the certainty of a war, in which he must necessarily bear a part, so he was impatient to be at home, that he might have the clearer view of the state of affairs, and take his measures with greater deliberation<sup>4</sup>. Yet he was not still without hopes of peace, and that he should be able to make up the quarrel between the chiefs; for he was, of all men, the best qualified to effect it, on account, not only of his authority, but of his intimate friendship with them both; who severally paid great court to him at this time, and reckoned upon him as their own, and wrote to him with a confidence of his being a determined friend<sup>5</sup>.

In his voyage from Athens towards Italy, Tiro, one of his

<sup>1</sup> Nam et amico amisso, cum consuetudine jucunda, tum multorum officiorum conjunctione me privatum videbam—augebat etiam molestiam, quod magna sapientium civium bonorumque penuria, vir egregius, conjunctissimusque mecum consiliorum omnium societate, alienissimo Reipub. tempore extinctus. Brut. init.

<sup>2</sup> Prid. Id. Octob. Athenas venimus, cum sane adversis ventis usi essemus. Ep. Fam. 14. 5.

<sup>3</sup> Audio Appium προπύλαιον Eleusine facere. Num inepti fuerimus, si nos quoque Academiae fecerimus?—equidem valde ipsas Athenas amo. Volo esse aliquod monumentum. Odi falsas inscriptiones alienarum statuarum. Sed ut tibi placebit. Ad Att. 6. 1.

<sup>4</sup> Cognovi ex multorum amicorum litteris—ad arma rem spectare. Ut mihi cum venero, dissimulare non liceat, quid sentiam. Sed quum subeunda fortuna est, eo citius dabimus operam ut veniamus, quo facilius de tota re deliberemus. Ep. Fam. 14. 5.

Sive enim ad concordiam res adduci potest, sive ad bonorum victoriam, utriusve rei me aut adiutorem esse velim, aut certe non expertem. Ad Att. 7. 3.

<sup>5</sup> Ipsum tamen Pompeium separatim ad concordiam hortabor. Ibid.

Me autem uterque numerat suum. Nisi forte simulat alter. Nam Pompeius non dubitat (vere enim judicat) ea, quæ de Reipub. nunc sentiat, mihi valde probari. Utriusque autem accepi litteras ejusmodi—ut neuter quemquam omnium pluris facere quam me videretur. Ibid. 7. 1.

A. Urb. 703. Cic. 57. Coss.—L. Æmilius Paulus. C. Claudius Marcellus.

slaves, whom he soon after made free, happened to fall sick, and was left behind at Patre to the care of friends and a physician. The mention of such an accident will seem trifling to those who are not acquainted with the character and excellent qualities of Tiro, and how much we are indebted to him for preserving and transmitting to posterity the precious collection of Cicero's letters, of which a great part still remain, and one entire book of them written to Tiro himself; several of which relate to the subject of this very illness. Tiro was trained up in Cicero's family, among the rest of his young slaves, in every kind of useful and polite learning, and, being a youth of singular parts and industry, soon became an eminent scholar, and extremely serviceable to his master, in all his affairs, both civil and domestic. "As for Tiro," says he to Atticus, "I see you have a concern for him: though he is wonderfully useful to me, when he is well, in every kind both of my business and studies, yet, I wish his health, more for his own humanity and modesty, than for any service which I reap from him." But his letter to Tiro himself will best shew what an affectionate master he was: for from the time of leaving him, he never failed writing to him by every messenger or ship which passed that way, though it were twice or thrice a day, and often sent one of his servants express to bring an account of his health; the first of these letters will give us a notion of the rest.

M. T. CICERO TO TIRO.

"I thought that I should have been able to bear the want of you more easily: but in truth I cannot bear it: and

A. Urb. 703. Cic. 57. Cons. L. *Emilius Paulus*. C. *Claudius Marcellus*.

you will overtake me at Leucas: but if you stay to establish your health, take care to have good company, good weather, and a good vessel. Observe this one thing, my Tiro, if you love me, that neither Mario's coming, nor this letter, hurry you. By doing what is most conducive to your health, you will do what is most agreeable to me: weigh all these things by your own discretion. I want you; yet so as to love you; my love makes me wish to see you well; my want of you, to see you as soon as possible: the first is the better; take care, therefore, above all things, to get well again; of all your innumerable services to me, that will be the most acceptable.—The third of November<sup>1</sup>."

By the honour that he mentions in the letter, he means the honour of a triumph, which his friends encouraged him to demand for his success at Amanus and Pindenissum: in writing upon it to Atticus, he says, "consider what you would advise me with regard to a triumph, to which my friends invite me: for my part, if Bibulus, who, while there was a Parthian in Syria, never set a foot out of the gates of Antioch, any more than he did upon a certain occasion out of his own house, had not solicited a triumph, I should have been quiet: but now it is a shame to sit still<sup>2</sup>." Again, "as to a triumph, I had no thoughts of it before Bibulus's most impudent letters, by which he obtained an honourable supplication. If he had really done all that he has written, I should rejoice at it, and wish well to his suit: but for him, who never stirred beyond the walls, while there was an enemy on this side the Euphrates, to have such an honour decreed; and for me, whose army inspired all their hopes and spirits into his, not to obtain the same, will be a disgrace to us; I say to us; joining you to myself: wherefore I am determined to push at all, and hope to obtain all<sup>3</sup>."

After the contemptible account which Cicero gives of Bibulus's conduct in Syria, it must appear strange to see him honoured with a supplication, and aspiring even to a triumph; but this was not for any thing that he himself had done, but for what his lieutenant Cassius had performed in his absence against the Parthians; the success of the lieutenants being ascribed always to the auspices of the general, who reaped the reward and glory of it; and as the Parthians were the most dangerous enemies of the Republic, and the more

<sup>1</sup> Ep. Fam. 16. 1.

<sup>2</sup> Ad Att. 6. 8.

<sup>3</sup> De triumpho, nulla me cupiditas unquam tenuit ante Bibuli impudentissimas litteras, quæ amplissima supplicatio consecuta est. A quo si ea gesta sunt, quam scripsit, gauderem et honori faverem. Nunc illum, qui pedem porta, quoad hostis cis Euphratem fuit, non extulerit, honore augeri, me, in cujus exercitu spem illius exercitus habuit, idem non assequi, dedecus est nostrum; nostrum, inquam, te conjungens. Itaque omnia experiar, et, ut spero, assequar. Ad Att. 7. 2.

A. U. C. 703. Cic. 57. Cons.—L. Æmilius Paulus. C. Claudius Marcellus.

particularly dreaded at this time, for their late defeat of Cæsar, so any advantage gained against them was sure to be well received at Rome, and repaid with all the honours that could reasonably be demanded.

Whenever any proconsul returned from his province, with pretensions to a triumph, his fasces, or ensigns of magistracy, were wreathed with laurel: with this equipage, Cicero landed at Brundisium, on the twenty-fifth of November, where his wife, Terentia arrived at the same moment to meet him, so that their first salutation was in the great square of the city. From Brundisium he marched forward by slow stages towards Rome, making it his business, on the road, to confer with all his friends of both parties, who came out to salute him: and to learn their sentiments on the present state of affairs; from which he soon perceived, what of all things he most dreaded, an universal disposition to war. But as he foresaw the consequences of it more coolly and clearly than any of them, so his first resolution was to apply all his endeavours and authority to the mediation of a peace. He had not yet declared for either side; not that he was irresolute which of them to choose, for he was determined within himself to follow Pompey; but the difficulty was, how to act, in the mean time, towards Cæsar, so as to avoid taking part in the previous decrees, which were prepared against him, for abrogating his command, and obliging him to disband his forces on pain of being declared an enemy; here he wished to stand neuter awhile, that he might act the mediator with the better grace and effect<sup>1</sup>.

In this disposition he had an interview with Pompey, on the

A. Urb. 703. Cic. 57. Cons.—L. Æmilius Paulus. C. Claudius Marcellus.

late instance of it; for that Hirtius came from Cæsar, a few days before, and did not come to see him; and when Balbus promised to bring Scipio an account of his business, the next morning, before day, Hirtius was going back again to Cæsar in the night: this he takes for a clear proof of Cæsar's resolution to break with him. In short, I have no other comfort, but in imagining, that he, to whom even his enemies have voted a second consulship, and fortune given the greatest power, will not be so mad as to put all this to hazard: yet, if he begins to rush on, I see many more things to be apprehended than I dare venture to commit to writing; at present, I propose to be at Rome on the third of January<sup>1</sup>."

There is one little circumstance frequently touched in Cicero's letters, which gave him a particular uneasiness in his present situation, viz. his owing a sum of money to Cæsar, which he imagined might draw some reproach upon him, since he thought it dishonourable and indecent, he says, to be a debtor to one, against whom we were acting in public affairs: yet to pay it at that time would deprive him of a part of the money which he had reserved for his triumph<sup>2</sup>. He desires Atticus, however, very earnestly, to see it paid, which was done, without doubt, accordingly, since we meet with no farther mention of it: it does not appear, nor is it easy to guess, for what occasion this debt was contracted, unless it was to supply the extraordinary expense of his buildings after his return from exile, when he complained of being in a particular want of money from that general dissipation of his fortunes.

Pompey, finding Cicero wholly bent on peace, contrived to have a second conference with him, before he reached the city, in hopes to allay his fears, and beat him off from that vain project of an accommodation, which might help to cool the zeal of his friends in the senate: he overtook him, therefore, at Lavernium, and came on with him to Formiæ, where they spent a whole afternoon in a close conversation. Pompey strongly discouraged all thoughts of a pacification, declaring, that there could be none but what was treacherous and dangerous; and that, if Cæsar should disband his army, and take the consulship, he would throw the Republic into confusion; but he was of opinion, that when he understood their preparations against him, he would drop the consulship, and hold fast his army: but if he was mad enough to come forward and

<sup>1</sup> Ibid. 7. 4.

<sup>2</sup> Illud tamen non desinam, dum adesse te putabo, de Cæsaris nomine rogare, ut confectum relinquas. Ibid. 5. 6.

Mihi autem molestissimum est, quod solvendi sunt nummi Cæsari, et instrumentum triumphu eo conferendum. Est enim ἀμορφον, ἀντιπολιτευομένων χραιοφαίλτης εἶδος. Ibid. 7. 8.

Urb. 704. Clc. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cras.

stage was from Pompey's villa, near Alba, because his villa, at Tusculum, lay out of the great road, and was not commodious for a public entry: on his arrival, as he says, he fell into the very flame of civil discord, and found the war in effect proclaimed<sup>1</sup>; for the senate, at Scipio's motion, had just voted a decree, that Cæsar should dismiss his army by a certain day, be declared an enemy; and when M. Antony and Q. Cassius, two of the tribunes, opposed their negative to it, as they had done to every decree proposed against Cæsar, and could not be persuaded by the entreaties of their friends, to give way to the authority of the senate, they proceeded to that vote, which was the last resort in cases of extremity, that the consuls, prætors, tribunes, and all who were about the city with proconsular power, should take care that the Republic received no detriment. As this was supposed to arm the magistrates with an absolute power to treat all men as they pleased, whom they judged to be enemies, so the two tribunes, together with Curio, immediately withdrew themselves upon it, and fled in disguise to Cæsar's camp, on pretence of danger and violence to their persons, though none was yet offered or designed to them<sup>2</sup>.

M. Antony, who now began to make a figure in the affairs of Rome, was of an ancient and noble extraction: the grandson of that celebrated statesman and orator, who lost his life in the massacres of Marius and Cinna: his father, as it is already related, had been honoured with one of the most important commissions of the Republic; but after an inglorious discharge of it, died with the character of a corrupt, oppressive, and rapacious commander. The son, trained in the discipline of such a parent, whom he lost when he was very young, launched out at once into all the excess of riot and debauchery, and wasted his whole patrimony before he had put on the manly gown; shewing himself to be the genuine son of that father, who was born, as Sallust says, to squander money, without ever employing a thought on business, till a present necessity urged him. His comely person, lively wit, insinuating address, made young Curio infinitely fond of him; so that, in spite of the commands of a severe father, who had

<sup>1</sup> Ego ad urbem accessi prid. non. Jan. obviam mihi sic est proditum, ut nihil possit fieri ornatius. Sed incidi in ipsam flammam civilis discordiæ vel potius belli. Ep. Fam. 16. 11.

Ego in Tusculanum nihil hoc tempore. Devium est τοῖς ἀπαρτῶσι, &c. Ad Att. 7. 5.

<sup>2</sup> Antonius quidem noster et Q. Cassius, nulla vi expulsi, ad Cæsarem cum Curione profecti erant; postea quam Senatus Consulibus, Prætoribus, Tribunis plebis et nobis qui Proconsules sumus, negotium dederat, ut curarem, ne quid Rep. detrimenti caperet. Ep. Fam. 16. 11.

A. Urb. 704. Cr. 52. Com.—C. Claudius Marcellus. L. Corn. Lentulus

often turned Antony out of doors, and forbidden him his home; he could not be prevailed with to forsake his company, he supplied him with money for his frolics and amours, till he had involved himself, on his account, in a debt of fifty thousand pounds. This greatly afflicted old Curio; and Cicero was called in to heal the distress of the family, whom the son treated, with tears in his eyes, to intercede for Antony, as well as for himself, and not suffer them to be parted: but Cicero having prevailed with the father to make his son easy by discharging his debts, advised him to insist upon it, as a condition, and to enforce it by his paternal power, that he should have no farther commerce with Antony<sup>1</sup>. This laid the foundation of an early aversion in Antony to Cicero, increased still by the perpetual course of Antony's life, which fortune happened to throw among Cicero's inveterate enemies: for, by the second marriage of his mother, he became son-in-law to that Lentulus, who was put to death for conspiring with Catiline, by whom he was initiated into all the cabals of a traitorous faction, and infected with principles pernicious to the liberty of Rome. To revenge the death of his father he attached himself to Clodius, and, during his tribunate, was one of the ministers of all his violences; yet was detected, at the same time, in some criminal intrigue in his family, injurious to the honour of his patron<sup>2</sup>. From this education in the city, he went abroad, to learn the art of war under Gabinus, the most profligate of all generals; who gave him the command of his horse in Syria, where he signalized his courage in the restoration of King Ptolemy, and acquired the first taste of martial

A. Urb. 704. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

Antony, to sue for the quæstorship<sup>1</sup>. Cæsar recommended him in a pressing manner, to Cicero, entreating him to accept Antony's submission, and pardon him for what was past, and assist him in his present suit; with which Cicero readily complied, and obliged Antony so highly by it, that he declared war presently against Clodius, whom he attacked with great fierceness in the Forum, and would certainly have killed, had he not found means to hide himself under some stairs. Antony openly gave out, that he owed all this to Cicero's generosity, to whom he could never make amends for former injuries, but by the destruction of his enemy, Clodius<sup>2</sup>. Being chosen quæstor, he went back immediately to Cæsar, without respecting his lot, or a decree of the senate, to appoint him his province: where, though he had all imaginable opportunities of acquiring money, yet, by squandering as fast as he got it, he came a second time empty and beggarly to Rome, to put in for the tribunate: in which office, after the example of his friend Curio, having sold himself to Cæsar, he was, as Cicero says, as much the cause of the ensuing war, as Helen was of that of Troy<sup>3</sup>.

It is certain, at least, that Antony's flight gave the immediate pretext to it, as Cicero had foretold: "Cæsar," says he, "will betake himself to arms, either for our want of preparation, or if no regard be had to him at the election of consuls: but especially if any tribune, obstructing the deliberations of the senate, or exciting the people to sedition, should happen to be censured or overruled, or taken off, or expelled, or, pretending to be expelled, run away to him<sup>4</sup>." In the same letter, he gives a short but true state of the merit of his cause: "What," says he, "can be more impudent? You have held your government ten years, not granted to you by the senate, but extorted by violence and faction: the full term is expired, not of the law, but of your licentious will: but allow it to be a law; it is now decreed, that you must have a successor: you refuse, and say, have some regard to me: do you first shew

<sup>1</sup> Prius in ultimam Galliam ex Ægypto quam domum—venisti e Gallia ad Quæsturam petendam. Ibid. Vid. Plut. in Anton.

<sup>2</sup> Acceperam jam ante Cæsaris litteras, ut mihi satisfieri paterer a te—postea custoditus sum a te, tu a me observatus in petitione Quæsturæ, quo quidem tempore P. Clodium—in foro es conatus occidere—ita prædicabas, te non existimare, nisi illum interfecisses, unquam mihi pro tuis in me injuriis satis esse facturum. Ibid. 20.

Cum se ille fugiens in scalarum tenebras abdidisset, &c. Pro Mil. 15.

<sup>3</sup> Deinde sine Senatus consulto, sine sorte, sine lege ad Cæsarem cucurristi. Id enim unum in terris, egestatis, æris alieni, nequitie, perditis vitæ rationibus perfugium esse ducebas—advolasti egens ad Tribunatum, ut in eo Magistratu, si posses, viri tui similis esse—ut Helena Trojanis, sic iste huic Reipub. causa belli, &c. Philip. 2. 21. 22.

<sup>4</sup> Aut addita causa, si forte Tribunus pleb. Senatum impediens, aut populum incitans, notatus, aut Senatus consulto circumscriptus, aut sublatus aut expulsus sit, dicensve se expulsus ad se confugerit. Ad Att. 7. 9.

and you pretend to keep an army  
 ordered, and contrary to the will  
 of the people, Caesar's strength lay not in the good  
 of his troops: a considerable part of wh  
 going together towards the confines of Italy,  
 later into action at any warning: the flight  
 gave him a plausible handle to begin, and see  
 his attempt; but "his real motive," says Pl  
 was the same that animated Cyrus and Alexander befo  
 the peace of mankind; the unquenchable th  
 and the wild ambition of being the greatest  
 world, which was not possible, till Pompey was fi  
 ended." Laying hold, therefore, of the occasion, h  
 passed the Rubicon, which was the boundary  
 on that side of Italy, and marching forward  
 manner, possessed himself, without resistance,  
 great towns in his way, Ariminum, Pisaurum, A  
 Ariminum, &c.

In this confused and disordered state of the city, C  
 friends were soliciting the decree of his triumph, to wh  
 whole senate signified their ready consent: but the  
 Lentulus, to make the favour more particularly his o  
 sired that it might be deferred for a while, till the public  
 were better settled, giving his word, that he would then  
 move of it himself. But Caesar's sudden march  
 Rome put an end to all farther thoughts of it, and str  
 senate with such a panic, that, as if he had been already  
 they resolved presently to quit the city, and reti

Urb. 704. Cic. 88. Com.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

the same reason, when he perceived his new province wholly provided against an enemy, and that it was impossible to hold Capua without a strong garrison, he resigned his employment, and chose not to act at all<sup>1</sup>.

Capua had always been the common seminary or place of rearing gladiators for the great men of Rome; where Cæsar had a famous school of them at this time, which he had long maintained under the best masters for the occasions of his public shows in the city; and as they were very numerous and well furnished with arms, here was reason to apprehend that they would break out, and make some attempt in favour of their master, which might have been of dangerous consequence in the present circumstances of the Republic; so that Pompey thought it necessary to take them out of their school, and disperse them among the principal inhabitants of the place, assigning two to each master of a family, by which he secured them from doing any mischief<sup>2</sup>.

While the Pompeian party was under no small dejection on account of Pompey's quitting the city, and retreating from the approach of Cæsar, T. Labienus, one of the chief commanders on the other side, deserted Cæsar, and came over to them, which added some new life to their cause, and raised an expectation, that many more would follow his example. Labienus had eminently distinguished himself in the Gallic war, where, next to Cæsar himself, he had borne the principal part; and,

Cæsar's favour, had raised an immense fortune; so that he was much caressed, and carried about every where, by Pompey, who promised himself great service from his fame and experience, and especially from his credit in Cæsar's army, and the knowledge of all his counsels: but his account of things, like that of all deserters, was accommodated rather to please, than to serve his new friends; representing the weakness of Cæsar's troops, their aversion to his present designs, the disaffection of the two Gauls, and disposition to revolt; the contrary of all

ni, quo plus apud illum mee littere cohortationesque ad pacem valerent. Ep. a. 16. 12.

Nam certe neque tum peccavi, cum imparatam jam Capuam, non solum ignavia reclusam, sed etiam perfidie suspicionem fugiens, accipere nolui. Ad Att. 8. 12.

quod tibi ostenderam, cum a me Capuam rejiciebam: quod feci non vitandi operis causa, sed quod videbam teneri illam urbem sine exercitu non posse. Ep. Cic. ad Pomp. Att. 8. 11.

Cicero, when proconsul of Cilicia, often mentions the *Dioceses* that were annexed to his government, (Ep. Fam. 13. 67.) so in this command of Capua he calls himself the *Episcopus* of the Campanian coast: which shews, that these names, which were appropriated afterwards in the Christian church to characters and powers ecclesiastical, carried with them, in their original use, the notion of a real authority and jurisdiction.

Gladiatores Cæsaris, qui Capuæ sunt—sane commode Pompeius distribuit, binos ulis patribus familiarum. Scutorum in ludo 120 fuerunt; eruptionem facturi fuisse duntaxat—sane multum in eo Reip. provisum est. Ad Att. 7. 14.

A. Urb. 704. Cn. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

his garrisons, he will attend the senate, when the conditions come to be settled, and not go to Sicily, where his service is more necessary, which I am afraid will be of ill consequence:—there is a strange variety in our sentiments; the greatest part are of opinion, that Cæsar will not stand to his terms, and that these offers are made only to hinder our preparations: but I am apt to think that he will withdraw his troops: for he gets the better of us by being made consul, and with less iniquity, than in the way which he is now pursuing; and we cannot possibly come off without some loss; for we are scandalously unprovided both with soldiers and money, since all that, which was either private in the city, or public in the treasury, is left a prey to him<sup>1</sup>.”

During the suspense of this treaty, and the expectation of Cæsar's answer, Cicero began to conceive some hopes that both sides were relenting, and disposed to make up the quarrel—Cæsar, from a reflection on his rashness, and the senate on their want of preparation: but he still suspected Cæsar, and the sending a message so important by a person so insignificant as young Lucius Cæsar, looked, he says, as if he had done it by way of contempt, or with a view to disclaim it, especially when, after offering conditions, which were likely to be accepted, he would not sit still to wait an answer, but continued his march, with the same diligence, and in the same hostile manner, as before<sup>2</sup>. His suspicions proved true; for by letters, which came soon after from Furnius and Curio, he perceived that they made a mere jest of the embassy<sup>3</sup>.

It seems very evident that Cæsar had no real thoughts of peace, by his paying no regard to Pompey's answer, and the trifling reasons which he gave for slighting it<sup>4</sup>: but he had a double view in offering those conditions; for, by Pompey's rejecting them, as there was reason to expect, from his known aversion to any treaty, he hoped to load him with the odium of the war; or, by his embracing them, to slacken his preparations, and retard his design of leaving Italy; whilst he himself, in the mean time, by following him, with a celerity that

<sup>1</sup> Ibid. 7. 15.

<sup>2</sup> Spero in præsentia pacem nos habere. Nam et illum furoris, et hunc nostrum copiarum suppenitet. Ibid.

Tamen vereor ut his ipsis (Cæsar) contentus sit. Nam cum ista mandata dedisset L. Cæsari, debuit esse paullo quietior, dum responsa referrentur. Ibid. 7. 17.

Cæsarem quidem, L. Cæsare cum mandatis de pace misso, tamen aiunt acerrime loca occupare. Ibid. 18.

L. Cæsarem vidi—ut id ipsum mihi ille videatur irridendi causa fecisse, qui tantis de rebus huic mandata dederit, nisi forte non dedit, et hic sermone aliquo arrepto pro mandatis abusus est. Ibid. 13.

<sup>3</sup> Accepi litteras tuas, Philotini, Furnii, Curionis ad Furnium, quibus irridet L. Cæsaris legationem. Ibid. 19.

<sup>4</sup> Cæs. Comment. de Bell. civ. l. 1.

. 704. Cic. 58. Coss.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

not persist in it: the same imagination made Pompey the senate so resolute to defy, when they were in no consequence to oppose him. Cæsar, on the other hand, might probably imagine, that their stiffness proceeded from a vain confidence of their strength, which would induce them to venture a contest with him in Italy; in which case he was sure enough to triumph: so that both sides were drawn farther, perhaps, than they intended, by mistaking each other's views. Cæsar, who might well apprehend, that they designed to try their strength with him in Italy; for that was the constant persuasion of the whole party, who thought it the best scheme which could be pursued: Pompey humoured them in it, and always talked of how to keep up their spirits; and though he saw, from the necessity of quitting Italy, yet he kept the secret to himself, and wrote word, at the same time, to Cicero, that he would have a firm army in a few days, with which he would march against Cæsar into Picenum, so as to give them an opportunity of returning to the city<sup>1</sup>. The plan of the war, which was commonly understood, was to possess themselves of the principal posts of Italy, and act chiefly on the defensive, in order to distress Cæsar, by their different armies, cut off his opportunities of forage, hinder his access to Rome, and hold him continually employed, till the veteran army from Spain, or Pompey's lieutenants, Afranius, Petreius, and Varro, should come up to finish his overthrow<sup>2</sup>. This was the notion which the senate entertained of the war; they never conceived it possible, that Pompey should submit to the disgrace of flying before Cæsar, and giving up Italy a prey to his enemy. In great confidence Domitius, with a very considerable force, and some of the principal senators, threw himself into Corfinium, a strong town at the foot of the Appennine, on the Adriatic side, where he proposed to make a stand against Cæsar, and stop the progress of his march; but he lost all his hopes in the attempt, to the number of three legions, for want of knowing Pompey's secret. Pompey, indeed, when he was told what Domitius intended, pressed him earnestly, by several messengers, to come away and join with him, telling him, that it

mnes nos ἀπροσφυνήτους, expertes sui tanti et tam inusitati consilii relinquebat. Att. 8. 8.

Afranius—ad me scribit, paucis diebus se firmum exercitum habiturum, spemque se si in Picenum agrum ipse venerit, nos Romam redituros esse. Ibid. 7. 16.

incepto autem bello, aut tenenda sit urbs, aut ea relecta, ille commeatu et reliquis intercludendus. Ibid. 7. 9.

autem ille suis conditionibus stare noluerit, bellum paratum est: tantummodo ut intercludamus, ne ad urbem possit accedere: quod sperabamus fieri posse: delectus magnos habebamus—ex Hispaniaque sex legiones et magna auxilia, Afranio et Petreius, habet a tergo. Videtur, si insaniet, posse opprimi, modo ut urbe salva. Att. 16. 12.

ultima autem spes Afranium cum magnis copiis adventare. Ad Att. 8. 3.



704. Cic. 55. Com.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

the other: nothing has hitherto been done by our Pompey, with prudence or courage; I may add, also, nothing but what was contrary to my advice and authority: I will omit those stories, how he first nursed, raised, and armed this man against the Republic; how he supported him in carrying his point by violence, and without regard to the auspices; how he led the farther Gaul to his government, made himself his son-in-law, assisted as augur in the adoption of Clodius, was more zealous to restore me, than to prevent my being expelled, prolonged the term of Cæsar's command, served him in all his affairs in his absence, nay, in his third consulship, after he began to espouse the interests of the Republic, how he insisted, that the ten tribunes should jointly propose a law to dispense with his absence in suing for the consulship, which he confirmed afterwards by a law of his own, and opposed the consul Marcellus, when he moved to put an end to his government on the first of March: but to omit, I say, all this, what can be more dishonourable, or shew a greater want of conduct, than his retreat, or rather shameful flight from the city? what conditions were not preferable to the necessity of abandoning our country? the conditions, I confess, were bad; yet what can be worse than this? but Pompey, you'll say, will recover the Republic: when? or what preparation is there for it? is not all Picenum lost? is not the way left open to the city? is not all our treasure, both public and private, given up to the enemy? In a word, there is no party, no forces, no places of rendezvous for the friends of the Republic to resort to; Apulia is chosen for our retreat; the weakest and remotest part of Italy, which implies nothing but despair, and a design of flying by the opportunity of the sea," &c.<sup>1</sup> In another letter, "there is but one thing wanting," says he, "to complete our friend's disgrace; his failing to succour Domitius: nobody doubts but that he will come to his relief; yet I am not of that mind. Will he then desert such a citizen, and the rest, whom you know to be with him? especially when he has thirty cohorts in the town? yes, unless all things deceive me, he will desert him; he is strangely frightened: means nothing but to fly; yet you, for I perceive what your opinion is, think, that I ought to follow this man. For my part, I easily know, whom I ought to fly, not whom I ought to follow. As to that saying of mine, which you extol, and think worthy to be celebrated, that I had rather be conquered with Pompey, than conquer with Cæsar, it is true, I still, say so; but with such a Pompey as he then was, or as I took him to be: but, as for this man, who

<sup>1</sup> Ad Att. B 3.

Ann. 704. Cl. 33. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Cras.

ing by the war but the security of his person and

Pompey, on the other hand, appeared every day more and more despicable, by flying before an enemy, whom his pride and perverseness was said to have driven to the necessity of using arms.—“Tell me, I beg of you,” says Cicero, “what is more wretched, than for the one to be gathering arms from the worst of causes, the other giving offence in the eyes of the one to be reckoned the preserver of his enemies, the other the deserter of his friends? and, in truth, though I have the affection which I ought to have for our friend Cnæus, I cannot excuse his not coming to the relief of such men: if he was afraid to do it, what can be more paltry? or if, as I think, he thought to make his cause the more popular, by his destruction, what can be more unjust?” &c. From this experiment of Cæsar’s clemency, Cicero took occasion to write him a letter of compliment, and to thank him particularly for his generous treatment of Lentulus, who, when consul, had been the chief author of his restoration: to which Cæsar returned the following answer:

“CÆSAR, EMPEROR, TO CICERO, EMPEROR.

“You judge rightly of me, for I am thoroughly known to be so, that nothing is farther removed from me than cruelty; and, as I have a great pleasure from the thing itself, so I rejoice and triumph to find my act approved by you: nor does it at all move me, that those, who were dismissed by me, are said to be gone away to renew the war against me; for I desire nothing more, than that I may always act like myself; they like themselves. I wish that you would meet me at the city, that I may use your counsel and assistance, as I have hitherto done in all things. Nothing, I assure you, is dearer to me than Dolabella; I will owe this favour therefore to him: nor is it possible for him, indeed, to behave otherwise, such is his humanity, his good sense, and his affection to me. Adieu.”

When Pompey, after the unhappy affair of Corfinium, found himself obliged to retire to Brundisium, and to declare, what he had never before directly owned, his design of quitting Italy, and carrying the war abroad<sup>1</sup>; he was very desirous to draw Cicero along with him, and wrote two letters to him at

<sup>1</sup> Sed obsecro te quid hoc miserius, quam alterum plausus in fœdissima causa querere; alterum offensiones in optima? alterum existimari conservatorem inimicorum, alterum desertorem amicorum? et mehercule, quamvis amemus Cnæum nostrum, ut et facinus et debemus, tamen hoc, quod talibus viris non subvenit, laudare non possum. Nam sive timuit quid ignavius? sive, ut quidam putant, meliorem suam causam illorum cæde fore putavit, quid injustius? Ad Att. 8. 9.

<sup>2</sup> Ibid. 9. 16.

<sup>3</sup> Qui amico Corfinio denique me certiores consilii sui fecit. Ibid. 9. 2.

A. Urb. 704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cl.

Formise, to press him to come away directly; but Cato, already much out of humour with him, was disgusted still more by his short and negligent manner of writing, upon an occasion so important: the second of Pompey's letters, and Cicero's answer, will explain the present state of their affairs, and Cicero's sentiments upon them.

"CN. POMPEIUS MAGNUS, PROCONSUL, TO M. CICERO, EMPEROR.

"If you are in good health, I rejoice: I read your letter with pleasure: for I perceive in it your ancient virtue, by your concern for the common safety. The consuls are come to the army, which I had in Apulia: I earnestly exhort you by your singular and perpetual affection to the Republic, to come also to us, that, by our joint advice, we may give help and relief to the afflicted state. I would have you make the Appian way your road, and come in all haste to Brundisium. Take care of your health."

"M. CICERO, EMPEROR, TO CN. MAGNUS, PROCONSUL.

"When I sent that letter, which was delivered to you at Canusium, I had no suspicion of your crossing the sea for the service of the Republic, and was in great hopes, that we should be able, either to bring about an accommodation, which to me seemed the most useful, or to defend the Republic with the greatest dignity in Italy. In the meantime, before my letter reached you, being informed of your resolution, by the instructions which you sent to the consuls, I did not wait till I could have a letter from you, but set out immediately towards you with my brother and our children for Apulia. When we were

— Urb. 704. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

in Capua. Upon reading these letters, I was of the same opinion with all the rest, that you were resolved to march to Corfinium with all your forces, whither, when Cæsar lay before the town, I thought it impossible for me to come. While this was in the utmost expectation, we were informed, at one the same time, both of what had happened at Corfinium, that you were actually marching towards Brundisium: when I and my brother resolved, without hesitation, to show you thither, we were advertised by many, who came from Samnium and Apulia, to take care that we did not fall into Cæsar's hands, for that he was upon his march to the same places where our road lay, and would reach them sooner than we could possibly do. This being the case, it did not seem reasonable to me, or my brother, or any of our friends, to run the risk of hurting, not only ourselves, but the Republic, by rashness; especially when we could not doubt, but that, if the journey had been safe to us, we should not then be able to overtake you. In the meanwhile, I received your letter, dated from Canusium, the twenty-first of February, in which you exhort me to come in all haste to Brundisium: but as I did not receive it till the twenty-ninth, I made no question that you were already arrived at Brundisium, and all that had seemed wholly shut up to us, and we ourselves as surely intercepted as those who were taken at Corfinium: for we did not reckon them only to be prisoners, who were actually fallen into the enemy's hands, but those too not less so, who happen to be inclosed within the quarters and garrisons of their adversaries. Since this is our case, I heartily wish, in the first place, that I had always been with you, as I then told you when I relinquished the command of Capua, which I did not do for the sake of avoiding trouble, but because I saw that the town could not be held without an army, and was unwilling that the same accident should happen to me, which, to my sorrow, has happened to some of our bravest citizens at Corfinium: but since it has not been my lot to be with you, I wish that I had been made privy to your counsels; for I could not possibly suspect, and should sooner have believed any thing, than that, for the good of the Republic, under such a leader as you, we should not be able to stand our ground in Italy: nor do I now blame your conduct, but lament the fate of the Republic; and though I cannot comprehend what it is which you have followed, yet I am not the less persuaded, that you have done nothing, but with the greatest reason. You remember, I believe, what my opinion always was; first, to preserve peace, even on bad conditions; then about leaving the city; for as to Italy, you never intimated a tittle to me

A. Urb. 744. Cic. 59. Com.—C. Claudius Marcellus L. Corn. Lentulus

about it: but I do not take upon myself to think that my advice ought to have been followed; I followed yours; and that for the sake of the Republic, of which I despaired, and which is now overturned, so as not to be raised up again without a civil and most pernicious war: I sought you: desiring to be with you; nor will I omit the first opportunity which offers of effecting it. I easily perceived, through all this, that I did not satisfy those who are fond of fighting: for I have no scruple to own, that I wished for nothing so much as peace, not but that I had the same apprehensions from it as they, but I thought them more tolerable than a civil war: then, when the war was begun, when I saw that conditions of peace were offered to you, and a full and honourable answer given to them, I began to weigh and deliberate well upon my own conduct, which, considering your kindness to me, I fancied that I should easily explain to your satisfaction: I recollected that I was the only man, who, for the greatest services to the public, had suffered a most wretched and cruel punishment: that I was the only one, who, if I offended him, to whom, at the very time when we were in arms against him, a second consolation and most splendid triumph was offered, should be involved again in all the same struggles; so that my person seemed to stand always exposed, as a public mark, to the insults of profligate citizens: nor did I suspect any of these things till I was openly threatened with them: nor was I so much afraid of them, if they were really to befall me, as I judged it prudent to decline them, if they could honestly be avoided. You see, in short, the state of my conduct while we had any hopes of peace; what has since happened deprived me of all power to do any thing: but to those whom I do not please, I can easily

## OF CICERO.

Lib. 704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Crass.

own conduct, which were the most liable to exception, he, “I have neither done nor omitted to do any thing, has not both a probable and prudent excuse—and, in was willing to consider a little longer what was right it for me to do.” The chief ground of his deliberation that he still thought a peace possible, in which case Pompey and Cæsar would be one again, and he had no mind to give Cæsar any cause to be an enemy to him, when he was once a friend to Pompey.

While things were in this situation, Cæsar sent young Crassus after the consul Lentulus, to endeavour to persuade him to stay in Italy, and return to the city, by the offer of any thing that could tempt him: he called upon Cicero on his way, who gives the following account of it to Atticus: “When Balbus came to me on the twenty-fourth in the morning, running in all haste, by private roads, after Lentulus, with letters and instructions from Cæsar, and the offer of any argument, if he will return to Rome; but it will have no effect, unless they happen to meet: he told me that Cæsar desired nothing so much as to overtake Pompey—which I believe; and to be friends with him again—which I do not give; and begin to fear, that all his clemency means nothing, at last, but to give that one cruel blow. The elder Crassus writes me word, that Cæsar wishes nothing more than to see me in safety, and yield the first rank to Pompey. You know him, I suppose, to be in earnest.”

Cicero seems to think, that Lentulus might have been persuaded to stay, if Balbus and he had met together; for he had no opinion of the firmness of these consuls, but says of them, on another occasion, that they were more easily moved every wind, than a feather or a leaf. He received another letter, soon after, from Balbus, of which he sent a copy to Atticus, that he might pity him, he says, to see what a dupe they might make of him.”

“BALBUS TO CICERO, EMPEROR.

“I CONJURE you, Cicero, to think of some method of making Pompey and Pompey friends again, who, by the perfidy of certain persons, are now divided; it is a work highly worthy of your virtue: take my word for it, Cæsar will not only be in

*Nil pretermisum est, quod non habeat sapientem excusationem.—et plane quid mihi quid faciendum mihi esset, diutius cogitare malui. Ib. 8. 12.*

*aves movent, qui ipsi pluma aut folio facilis moventur.—ut vicem meam me derideri videres. Ibid. 8. 15.*

A. Urb. 704. Clc. 35. Cons.—C. Claudius Marcellus. L. Cons. Lentulus Cr.

your power, but think himself infinitely obliged to you, & would charge yourself with this affair. I should be glad if Pompey would do so too; but, in the present circumstances, it is what I wish rather than hope, that he may be brought to my terms: but, whenever he gives over flying and fearing Cæsar, I shall not despair, that your authority may have its weight with him. Cæsar takes it kindly, that you were for Lentulus staying in Italy, and it was the greatest obligation which you could confer upon me: for I love him as much as I do Cæsar himself; if he had suffered me to talk to him as freely as I used to do, and not so often shunned the opportunities which I sought of conferring with him, I should have been less unhappy than I now am: for, assure yourself, that no man can be more afflicted than I, to see one, who is dearer to me than myself, acting his part so ill in his consulship, that he seems to be any thing rather than a consul: but should he be disposed to follow your advice, and take your word for Cæsar's good intentions, and pass the rest of his consulship at Rome, I should begin to hope, that, by your authority, and at his motion, Pompey and Cæsar may be made one again, with the approbation even of the senate. Whenever this can be brought about, I shall think that I have lived long enough: you will entirely approve, I am sure, what Cæsar did at Corfinium: in an affair of that sort, nothing could fall out better, than that it should be transacted without blood. I am extremely glad, that my nephew's visit was agreeable to you: as to what he said of Cæsar's party, and what Cæsar himself wrote to you, I know

Urb. 704. Cl. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cras.

"CÆSAR, EMPEROR, TO CICERO, EMPEROR."

WHEN I had but just time to see our friend Furnius, nor conveniently speak with, or hear him, was in haste, and my march, having sent the legions before me, yet I could pass by without writing, and sending him to you with my message: though I have often paid this duty before, and seem to pay it oftener, you deserve it so well of me. I desire of you, in a special manner, that as I hope to be in the city shortly, I may see you there, and have the benefit of your advice, your interest, your authority, your assistance in all my business. But to return to the point: you will pardon the haste and brevity of my letter, and learn the rest from Furnius." which Cicero answered.

"CICERO, EMPEROR, TO CÆSAR, EMPEROR."

UPON reading your letter, delivered to me by Furnius, in which you pressed me to come to the city, I did not so much consider at what you there intimated, of your desire to use my advice and authority, but was at a loss to find out what you meant by my interest and assistance; yet I flattered myself by a persuasion, that, out of your admirable and singular wisdom, you were desirous to enter into some measures for establishing the peace and concord of the city; and, in that case, I looked upon my temper and character as fit enough to be employed in such a deliberation. If the case be so, and I have any concern for the safety of our friend Pompey, or of reconciling him to yourself, and to the Republic, you will certainly find no man more proper for such a work than I, who, from the very first, have always been the adviser of peace, both to him and the senate; and, since this recourse to arms, have not meddled with any part of the war, but thought myself to be really injured by it, while your enemies and enviers were attempting to deprive you of those honours, which the Roman people had granted you. But as, at that time, I was only a favourer of your dignity, but an encourager also of yours to assist you in it: so now the dignity of Pompey greatly affects me: for, many years ago, I made choice of you, with whom to cultivate a particular friendship, and to be, I now am, most strictly united. Wherefore I desire of you, rather beg and implore, with all my prayers, that, in the hurry of your cares, you would indulge a moment to this request, how by your generosity, I may be permitted to shew myself an honest, grateful, pious man, in remembering an act of the greatest kindness to me. If this related only to myself, I should hope still to obtain it from you: but it concerns, I

myself to have received the same grace I had done: towards whom, if by this you are grateful, let it be your care, I beseech you too towards Pompey'."

Cicero was censured for some passages of his letter. Cæsar took care to make public, viz. the confession of his own admirable wisdom; and, above all, the acknowledgment of being injured by his adversaries in the present war, of which, he says, that he was not sorry for, for he himself had given several copies of his letter, and, seeing what had since happened, was pleased to let the world how much he had always been in the right, and that, in urging Cæsar to save his country, he had his business to use such expressions as were necessary to gain authority with him, without fearing to be charged with flattery, in urging him to an act for which he might have thrown himself even at his feet'.

He received another letter on the same day, or at the same time, written jointly by Balbus and Cæsar's chief confidants.

"BALBUS AND OPPIUS TO M. CICERO"

"THE advice, not only of little men, but even of the greatest, is generally weighed, not so much of the giver, but the event; yet, relying on the event, we will give you what we take to be the best advice, which you wrote to us; which, though it seems not very prudent, yet certainly flows from the utmost affection to you. If we did not know from Cæsar's

Urb. 704. Cic. 59. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

a part in those deliberations; that, by your help, who have strict friendship with them both, the whole affair may be managed with ease and dignity: or if, on the contrary, we believed that Cæsar would not do it, and knew that he was involved upon a war with Pompey, we should never try to persuade you to take arms against a man to whom you have the greatest obligations, in the same manner as we have always treated you not to fight against Cæsar. But since, at present, we can only guess rather than know what Cæsar will do, we have nothing to offer but this, that it does not seem agreeable to your dignity, or your fidelity, so well known to all, that you are intimate with them both, to take arms against either: and this we do not doubt but Cæsar, according to his humanity, will highly approve; yet if you judge proper, we will write to him, to let us know what he will really do about it, and if he returns us an answer, will presently send you the same, what we think of it, and give you our word, that we will advise only what we take to be most suitable to your honour, not to Cæsar's views; and are persuaded, that Cæsar, of his indulgence to his friends, will be pleased with it<sup>1</sup>." His joint letter was followed by a separate one from Balbus.

"BALBUS TO CICERO, EMPEROR.

"IMMEDIATELY after I had sent the common letter from C. Cælius and myself, I received one from Cæsar, of which I have sent you a copy; whence you will perceive how desirous he is of peace, and to be reconciled with Pompey, and how removed from all thoughts of cruelty. It gives me an extreme joy, as it certainly ought to do, to see him in these sentiments. As to yourself, your fidelity and your piety, I am entirely of the same mind, my dear Cicero, with you, that you cannot, consistently with your character and duty, bear arms against a man to whom you declare yourself so greatly obliged: that Cæsar will approve this resolution, I certainly know, from his singular humanity; and that you will perfectly satisfy him, by taking no part in the war against him, nor joining yourself to his adversaries: this he will think sufficient, not only from you, a person of such dignity and splendour, but has allowed even to me, not to be found in that camp, which is likely to be formed against Lentulus and Pompey, from whom I have received the greatest obligations: 'It was enough,' he said, 'if I performed my part to him in the city and the gown, which I might perform also to them if I thought fit:' wherefore, I now manage all Lentulus's affairs at Rome, and dis-

<sup>1</sup> Ibid. 9. 8.

A. U. C. 704. C. 38. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Cr.

charge my duty, my fidelity, my piety, to them both:—*veritas*, I do not take the hopes of an accommodation, though now so low, to be quite desperate, since Cæsar is in that state in which we ought to wish him: one thing would please me, if you think it proper, that you would write to him, and order a guard from him, as you did from Pompey, at the time of Milo's trial, with my approbation; I will undertake for him. I rightly know Cæsar, that he will sooner pay a regard to your dignity, than to his own interest. How prudently I write these things, I know not; but this I certainly know, that whatever I write, I write out of a singular love and affection to you. I would let me die (so as Cæsar may but live) if I have not so great an esteem for you that few are equally dear to me. When you have taken any resolution in this affair, I wish that you would let me know it, for I am exceedingly solicitous that you should discharge your duty to them both, which, in truth, I am confident you will discharge. Take care of your health."

The offer of a guard was artfully insinuated; for while it carried an appearance of honour and respect to Cicero's person, it must necessarily have made him Cæsar's prisoner, and deprived him of the liberty of retiring, when he found it proper, out of Italy: but he was too wise to be caught by it, or to be moved in any manner by the letters themselves, to entertain the least thought of going to Rome, since, to assist in the senate, when Pompey and the consuls were driven out of it, was, in reality, to take part against them. What gave him a more immediate uneasiness, was the daily expectation of an interview with Cæsar himself, who was now returning from Brundisium by the road of Formiæ, where he then resided;

Urb. 704. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Cris.

After many things said, on both sides, he bade me however, and try to make peace: 'Shall I do it,' says I, 'my own way?' 'Do you imagine,' replied he, 'that I prescribe to you?' 'I will move the senate then,' says I, 'a decree against your going to Spain, or transporting troops into Greece, and say a great deal besides, in being the case of Pompey:' 'I will not allow,' replied he, 'the things to be said:' 'So I thought,' says I, 'and for that I will not come; because I must either say them, and more, which I cannot help saying, if I am there, or not at all.' The result was, that, to shift off the discourse, I bade him to consider of it; which I could not refuse to do, so we parted. I am persuaded, that he is not pleased with it, but I am pleased with myself: which I have not been before of a long time. As for the rest, good gods, what a crew has with him! what a hellish band! as you call them: what a lamentable affair! what desperate troops! what a lamentable sight, to see Servius's son, and Titinius's, with many more of their rank, in that camp, which besieged Pompey! He has legions; wakes at all hours; fears nothing: I see no end to his calamity. His declaration at the last, which I had almost forgot, was odious; that if he was not permitted to use my advice, he would use such as he could get from others, and pursue measures which were for his service! From this conference, Cicero went directly to Arpinum, and there invested his son, at the age of sixteen, with the manly gown: he resolved to carry him along with him to Pompey's camp, and thought it proper to give him an air of manhood before he sent him into the war; and since he could not perform that ceremony at Rome, chose to oblige his countrymen, by celebrating this festival in his native city.

While Cæsar was on the road towards Rome, young Quintus Cicerero, the nephew, a fiery, giddy youth, privately wrote to him to offer his service, with a promise of some information concerning his uncle; upon which being sent for, and admitted to an audience, he assured Cæsar, that his uncle was utterly affected to all his measures, and determined to leave Italy to go to Pompey. The boy was tempted to this rashness by hopes of a considerable present, and gave much uneasiness to both the father and the uncle, who had reason to fear the ill consequence from it: but Cæsar, desiring still to divert Cicero from declaring against him, and to quiet the

Ibid. 9. 18.

Ego meo Ciceroni, quoniam Roma caremus, Arpini potissimum togam puram dedi, et municipibus nostris fuit gratum. Ibid. 19.

Litteras ejus ad Cæsarem missas ita graviter tulimus, ut te quidem celaremus—

A. U. C. 704. Chr. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus

apprehensions which he might entertain for what was yet to come, took occasion to signify to him, in a kind letter from Rome, that he retained no resentment of his refusal to come to the city, though Tullus and Servius complained, that he had not shown the same indulgence to them:—Ridiculous men, says Cicero, who, after sending their sons to besiege Pompey at Brundisium, pretend to be scrupulous about going to the senate<sup>1</sup>.

Cicero's behaviour, however, and residence in those parts of his, which were nearest to the sea, gave rise to a general report, that he was waiting only for a wind to carry him over to Pompey; upon which, Caesar sent him another pressing letter, to try, if possible, to dissuade him from that step.

"CAESAR, EMPEROR, TO CICERO, EMPEROR.

"THOUGH I never imagined that you would do any thing rashly, or imprudently, yet, moved by the common report, I thought proper to write to you, and beg of you, by our mutual affection, that you would not run to a declining cause, which you did not think fit to go while it stood firm. For you will do the greatest injury to your friendship, and consult but ill for yourself, if you do not follow where fortune calls; for all things seem to have succeeded most prosperously for us, and unfortunately for them: nor will you be thought to have followed the cause, (since that was the same, when you chose to withdraw yourself from their counsels) but to have condemned some act of mine: than which you can do nothing that could

Urb. 764. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

ANTONIUS, TRIBUNE OF THE PEOPLE, AND PROPÆTOR,  
TO CICERO, EMPEROR.

IF I had not a great esteem for you, and much greater need than you imagine, I should not be concerned at the report, which is spread of you, especially when I take it to be false. But, out of the excess of my affection, I cannot dissemble, that even a report, though false, makes some impression on me. I cannot believe that you are preparing to cross the sea, when you have such a value for Dolabella, and your daughter Tullia, that excellent woman, and are so much valued by us all, to whom, in truth, your dignity and honour are most dearer than to yourself; yet, I did not think it the part of a friend, not to be moved by the discourse even of ill-designing men, and wrote this with the greater inclination, as I take my part to be the more difficult on the account of our late sickness, occasioned rather by my jealousy, than any injury done you. For I desire you to assure yourself, that nobody is dearer to me than you, excepting my Cæsar, and that I know, too, that Cæsar reckons M. Cicero in the first class of his friends. Wherefore I beg of you, my Cicero, that you will keep yourself free and undetermined, and despise the fidelity of that man who first did you an injury, that he might afterwards do you a kindness; nor fly from him, who, though he would not love you, which is impossible, yet will always desire to see you in safety and splendour. I have sent Calpurnius to you with this, the most intimate of my friends, that you might perceive the great concern which I have for your life and dignity<sup>1</sup>."

Cælius also wrote to him, on the same subject; but finding, by some hints in Cicero's answer, that he was actually preparing to run away to Pompey, he sent him a second letter, in a most pathetic, or, as Cicero calls it, lamentable strain<sup>2</sup>, in hopes, to work upon him, by alarming all his fears.

"CÆLIUS TO CICERO.

"BEING in a consternation at your letter, by which you knew that you are meditating nothing but what is dismal, yet either tell me directly what it is, nor wholly hide it from me, presently wrote this to you. By all your fortunes, Cicero, by your children, I beg and beseech you, not to take any step injurious to your safety: for I call the gods and men, and our friendship, to witness, that what I have told, and forewarned of, was not any vain conceit of my own, but after I had

<sup>1</sup> *Ibid.* 10. 8.

<sup>2</sup> M. Cæli epistolam scriptam miserabiliter. *Ibid.* 10. 9.

A. Urb. 704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cr.

talked with Caesar, and understood from him, how he meant to act after his victory, I informed you of what I had learnt. If you imagine that his conduct will always be the same, dismissing his enemies, and offering conditions, you are mistaken: he thinks, and even talks, of nothing but what is firm and severe, and is gone away much out of humour with the senate, and thoroughly provoked by the opposition which he has met with, nor will there be any room for mercy. Wherefore, if you yourself, your only son, your house, your remaining hopes, be dear to you: if I, if the worthy man, your son-in-law, have any weight with you, you should not desire to overturn our fortunes, and force us to hate or to relinquish that cause in which our safety consists, or to entertain an impious wish against your's. Lastly, reflect on this, that you have already given all the offence which you can give, by staying so long behind; and now to declare against a conqueror, whom you would not offend, while his cause was doubtful, and to fly after those who run away, with whom you would not join, while they were in condition to resist, is the utmost folly. Take care, that while you are ashamed not to approve yourself one of the best citizens, you be not too late in determining what is the best. But if I cannot wholly prevail with you, yet wait, at least, till you know how we succeed in Spain, which I now tell you will be our's, as soon as Caesar comes thither. What hopes they may have when Spain is lost, I know not; and what your view can be in acceding to a desperate cause, by my faith I cannot find out. As to the thing which you discover to me by your silence about it, Caesar has been informed of it; and, after the first salutation, told me, presently, what he had heard of you; I denied that I knew

705. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

on's advice, as well as his practice, was grounded upon  
m, which he had before advanced, in a letter to Cicero,  
n a public dissension, as long as it was carried on by  
ethods, one ought to take the honest side; but when  
to arms, the stronger; and to judge that the best which  
safest<sup>1</sup>." Cicero was not of his opinion, but governed  
in this, as he generally did, in all other cases, by a  
y rule; that where our duty and our safety interfere,  
uld adhere always to what is right, whatever danger we  
y it.

o paid Cicero a friendly visit of two days, about this  
n his way towards Sicily, the command of which Caesar  
mitted to him. Their conversation turned on the  
y condition of the times, and the impending miseries  
war, in which Curio was open, and without any reserve,  
ng of Caesar's views: he exhorted Cicero to choose some  
place for his retreat; assured him, that Caesar would be  
with it; offered him all kind of accommodation and  
eage through Sicily: made not the least doubt, but that  
would soon be master of Spain, and then follow Pompey  
is whole force; and that Pompey's death would be the  
the war: but confessed withal, that he saw no prospect  
mering of hope for the Republic; said, that Caesar was  
oked by the tribune Metellus, at Rome, that he had a  
o have killed him, as many of his friends advised; that  
ad done it, a great slaughter would have ensued; that  
mency flowed, not from his natural disposition, but be-  
ie thought it popular: and if he once lost the affections  
people, he would be cruel: that he was disturbed to see  
ople so disgusted by his seizing the public treasure; and  
he had resolved to speak to them before he left Rome,  
durst not venture upon it, for fear of some affront; and  
way, at last, much discomposed<sup>2</sup>.

leaving the public treasure at Rome a prey to Caesar,  
ured, more than once, by Cicero, as one of the blunders  
friends<sup>3</sup>: but it is a common case, in civil dissensions,  
: honest side, through the fear of discrediting their  
by any irregular act, to ruin it by an unseasonable  
tion. The public money was kept in the temple of  
; and the consuls contented themselves with carrying  
he keys, fancying, that the sanctity of the place would  
it from violence; especially when the greatest part of

le non arbitror fugere, quin homines in dissensione domestica debeant, quan-  
ter sine armis cernitur, honestiorem sequi partem: ubi ad bellum et castra  
it, firmiorem; et id melius statuere, quod tutius sit. Ibid. 8. 14.  
Att. 10. 4.

<sup>2</sup> Ibid. 7. 12, 15.

A. Urb. 704 Cic. 50 Cons.—C. Claudius Marcellus. L. Corn. Lentulus Cr.

it was a fund of a sacred kind, set apart by the laws for occasions only of the last exigency, or the terror of a Gallic invasion<sup>1</sup>. Pompey was sensible of the mistake, when it was too late, and sent instructions to the consuls to go back and fetch away this sacred treasure: but Caesar was then so far advanced, that they durst not venture upon it; and Lentulus coldly said him word, that he himself should first march against Caesar into Picenum, that they might be able to do it with safety<sup>2</sup>. Caesar had none of these scruples; but, as soon as he came to Rome, ordered the doors of the temple to be broken open, and the money to be seized for his own use; and had like to have killed the tribune Metellus, who, trusting to the authority of his office, was silly enough to attempt to hinder him. He found there an immense treasure, both in coin and wedges of solid gold, reserved from the spoils of conquered nations, from the time even of the Punic war: "for the Republic," as Pliny says, "had never been richer than it was at this day<sup>3</sup>."

Cicero was now impatient to be gone, and the more so, on account of the inconvenient pomp of his laurel, and lictors, and style of emperor; which in a time of that jealousy and distraction, exposed him too much to the eyes of the public, as well as to the taunts and raillery of his enemies<sup>4</sup>. He resolved to cross the sea to Pompey; yet knowing all his motions to be narrowly watched, took pains to conceal his intention, especially from Antony, who resided, at this time, in his neighbourhood, and kept a strict eye upon him. He sent him word, therefore, by letter, that he had no design against Caesar: that he remembered his friendship, and his son in law

Urb. 704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cras.

read or not. Cæsar has imposed this task upon me, not to let any man to go out of Italy. Wherefore, it signifies nothing for me to approve your resolution, if I have no power to indulge you in it. I would have you write to Cæsar, and in that favour of him: I do not doubt but you will obtain it, especially since you promise to retain a regard for our friend-ship."

After this letter, Antony never came to see him, but sent an excuse, that he was ashamed to do it, because he took him to be angry with him, giving him to understand, at the same time, by Trebatius, that he had special orders to observe his motions<sup>1</sup>.

These letters give us the most sensible proof of the high esteem and credit in which Cicero flourished, at this time, in Rome: when in a contest for empire, which force alone was to decide, we see the chiefs on both sides so solicitous to gain a man to their party, who had no peculiar skill in arms or talents for war: but his name and authority was the acquisition which they sought; since, whatever was the fate of their arms, the world, they knew, would judge better of the cause which Cicero espoused. The same letters will confute, likewise, in a great measure, the common opinion of his want of resolution in all cases of difficulty, since no man could shew a greater than he did on the present occasion, when against the importunities of his friends, and all the invitations of a successful power, he chose to follow that cause which he thought the best, though he knew it to be the weakest.

During Cæsar's absence in Spain, Antony, who had nobody to control him at home, gave a free course to his natural disposition, and indulged himself, without reserve, in all the excess of lewdness and luxury. Cicero, describing his usual equipage in travelling about Italy, says, "he carries with him, in an open chaise, the famed actress, Cytheris; his wife follows in a second, with seven other close litters, full of his whores and boys. See by what base hands we fall; and doubt, if you can, whether Cæsar, let him come vanquished or victorious, will not make cruel work amongst us at his return. For my part, if I cannot get a ship, I will take a boat, to transport myself out of their reach; but I shall tell you more after I have had a conference with Antony<sup>2</sup>." Among Antony's

<sup>1</sup> Ibid.

<sup>2</sup> Nomination de me sibi imperatum dicit Antonius, nec me tamen ipse adhuc viderat, Trebatius narravit. Ibid. 12.

Antonia—ad me misit, se pudore deterritum ad me non venisse, quod me sibi occuparet. Ibid. 15.

c tamen Cytheridem secum lectica aperta portat, altera uxorem: septem præterea lecticae sunt amicarum, an amicorum? vide quam turpi leto pereamus: et

704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

to present anxiety, and draw out something which may be to me<sup>1</sup>."

At the time of his leaving the city, together with Pompey in senate, there passed not a single day in which he did not write one or more letters to Atticus<sup>2</sup>, the only friend whom he trusted with the secret of his thoughts. From these letters it appears that the sum of Atticus's advice to him agreed entirely with his own sentiments, that, if Pompey remained in Italy, he ought to join with him; if not, should stay behind, and expect what fresh accidents might produce<sup>3</sup>. This was the course Cicero had hitherto followed: and as to his future conduct, though he seems sometimes to be a little wavering and irresolute, yet the result of his deliberations constantly turned in favour of Pompey. His personal affection for the man, preference of his cause, the reproaches of the better sort, who began to censure his tardiness, and, above all, his gratitude for favours received, which had ever the greatest weight with him, made him resolve, at all adventures to run after him; and, though he was displeased with his management of the war, without any hopes of his success<sup>4</sup>; though he knew him before to be no politician, and now perceived him, he says, to be so general; yet, with all his faults, he could not endure the thought of deserting him, nor hardly forgive himself for staying so long behind him: "For, as in love," says he, "any thing dirty and indecent in a mistress will stifle it for the present, so the deformity of Pompey's conduct put me out of humour with him; but now that he is gone, my love revives, and I cannot bear his absence<sup>5</sup>," &c.

What held him still a while longer, was the tears of his family, and the remonstrances of his daughter Tullia, who intreated him to wait only the issue of the Spanish war, and

<sup>1</sup> In his ego me consultationibus exercens, disserens in utramque partem, tum Græce tum Latine, abduco parumper animum a molestiis et τῶν προῶν τι delibero. Ad Att. 9. 4.

<sup>2</sup> Hujus autem epistolæ non solum ex causa est, ut ne quis a me dies intermittatur, quin dem ad te litteras, sed — Ibid. 8. 12.

Alteram tibi eodem die hanc epistolam dictavi, et pridie dederam mea manu longiorem. Ibid. 10. 3.

<sup>3</sup> Ego quidem tibi non sum auctor, si Pompeius Italiam relinquit, te quoque profugere; summo enim periculo facies, nec Reipub. proderis; cui quidem posterius poteris prodesse, si manseris, &c. Ibid. 9. 10.

<sup>4</sup> Ingrati animi crimen horreo. Ibid. 9. 2, 5, 7.

Nec mehercule hoc facio Reipub. causa, quam funditus deletam puto, sed ne quis me putet ingratum in eam, qui me levavit in incommodis, quibus spe affecerat. Ibid. 9. 19.

Fortune sunt committenda omnia. Sine spe conamur ulla. Si melius quid acciderit, mirabimur. Ibid. x. 2.

<sup>5</sup> Sicut ἐν τοῖς ἐρωτικαῖς, alienant immunda, insula, indecora; sic me illius fugæ, negligentiaque deformitas avertit ab amore—nunc emergit amor, nunc desultorium ferre non possum. Ibid. 9. 10.

A. Urb. 704. Cic. Cœs.—C. Claudius Marcellus. L. Corn. Lentulus Cr.

urged it as the advice of Atticus<sup>1</sup>. He was passionately fond of this daughter, and with great reason; for she was a woman of singular accomplishments, with the utmost affection and piety to him. Speaking of her to Atticus, "How admirable," says he, "is her virtue? how does she bear the public calamity? how her domestic disgusts? what a greatness of mind did she shew at my parting from them? in spite of the tenderness of her love, she wishes me to do nothing but what is right, and for my honour<sup>2</sup>." But as to the affair of Spain, he answered, that whatever was the fate of it, it could not alter the case with regard to himself; for if Cæsar should be driven out of it, his journey to Pompey would be less welcome and reputable, since Curio himself would run over to him; or if the war was drawn into length, there would be no end of waiting; or, lastly, if Pompey's army should be beaten, instead of sitting still as they advised, he thought just the contrary, and should choose the rather to run away from the violence of such a victory. He resolved, therefore, he says, to act nothing craftily; but, whatever became of Spain, to find out Pompey as soon as he could, in conformity to Solon's law, who made it capital for a citizen not to take part in a civil dissension<sup>3</sup>.

Before his going off, Servius Sulpicius sent him word, from Rome, that he had a great desire to have a conference with him, to consult in common what measures they ought to take. Cicero consented to it, in hopes to find Servius in the same mind with himself, and to have his company to Pompey's camp: for, in answer to his message, he intimated his own intention of leaving Italy: and, if Servius was not in the same

A. Urb. 704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cras.

he found him so timorous and desponding, and so full of scruples upon every thing which was proposed, that, instead of pressing him to the same conduct with himself, he found it necessary to conceal his own design from him. "Of all the men," says he, "whom I have met with, he is alone a greater coward than C. Marcellus, who laments his having been consul, and urges Antony to hinder my going, that he himself may stay with a better grace<sup>1</sup>."

Cato, whom Pompey had sent to possess himself of Sicily, thought fit to quit that post, and yield up the island to Curio, who came likewise to seize it, on Cæsar's part, with a superior force. Cicero was much scandalized at Cato's conduct, being persuaded that he might have held his possession without difficulty, and that all honest men would have flocked to him, especially when Pompey's fleet was so near to support him: for if that had but once appeared on the coast, and begun to act, Curio himself, as he confessed, would have run away the first. "I wish," says Cicero, "that Cotta may hold out Sardinia, as it is said he will: for, if so, how base will Cato's act appear<sup>2</sup>."

In these circumstances, while he was preparing all things for his voyage, and waiting only for a fair wind, he removed from his Cuman to his Pompeian villa, beyond Naples, which not being so commodious for an embarkment, would help to lessen the suspicion of his intended flight<sup>3</sup>. Here he received a private message from the officers of three cohorts, which were in garrison at Pompeii, to beg leave to wait upon him the day following, in order to deliver up their troops and the town into his hands; but, instead of listening to the overture, he slipped away the next morning, before day, to avoid seeing them; since such a force, or a greater, could be of no service there; and he was apprehensive that it was designed only as a trap for him<sup>4</sup>.

Thus, pursuing at last the result of all his deliberations, and preferring the consideration of duty to that of his safety, he embarked to follow Pompey: and though, from the nature

<sup>1</sup> *Servii consilio nihil expeditur. Omnes captiones in omni sententia occurrunt. Unum C. Marcello cognovi timidiorē, quem Consulem fuisse ponit—qui etiam Antonium confirmasse dicitur, ut me impediret, quo ipse, credo, honestius. Ad Att. 10. 15.*

<sup>2</sup> *Curio mecum vixit—Siciliæ diffidens, si Pompeius navigare cepisset. Ibid. 7.*

*Curio—Pompeii classem timebat: quæ si esset, se de Sicilia abiturum. Ibid. 4.*

*Cato qui Siciliam tenere nullo negotio potuit, et si tenuisset, omnes boni ad eum se contulissent, Syracusis profectus est a. d. 8. Kal. Mai—utinam, quod aiunt, Cotta Sardiniam teneat. Est enim rumor. O, si id fuerit, turpem Catonem! Ibid. 16.*

<sup>3</sup> *Ego ut minuerem suspicionem profectionis,—profectus sum in Pompeianum a. d. 1111 Id. Ut ibi essem, dum quæ ad navigandum opus essent, pararentur. Ibid.*

<sup>4</sup> *Cum ad villam venissem, ventum est ad me, Centuriones trium cohortium, quæ Pompeii sunt, me velle postidie; hæc mecum Ninnius noster, velle eos tibi se et opidium tradere. At ego tibi postidie a villa ante lucem, ut me omnino illi non viderent. Quid enim erat in tribus cohortibus? quid si plures? quo apparatu?—et simul fieri poterat, ut tentaremur. Omnem igitur suspicionem sustuli. Ibid.*

A. Urb. 704. Cic. 58. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cras

of the war, he plainly saw, and declared, that it was a contention only for rule; yet he thought Pompey the modester, honestest, and justest king of the two; and if he did not conquer, that the very name of the Roman people would be extinguished: or if he did, that it would still be after the manner and pattern of Sylla, with much cruelty and blood<sup>1</sup>. With these melancholy reflections, he set sail on the eleventh of June<sup>2</sup>, rushing, as he tells us, knowingly and willingly into voluntary destruction, and doing just what cattle do when driven by any force, running after those of his own kind; "For, as the ox," says he, "follows the herd, so I follow the honest, or those at least who are called so, though it be to certain ruin<sup>3</sup>." As to his brother Quintus, he was so far from desiring his company in this flight, that he pressed him to stay in Italy, on account of his personal obligations to Cæsar, and the relation that he had borne to him: yet Quintus would not be left behind; but declared that he would follow his brother whithersoever he should lead, and think that party right which he should choose for him<sup>4</sup>.

What gave Cicero a more particular abhorrence of the war, into which he was entering, was, to see Pompey, on all occasions, affecting to imitate Sylla, and to hear him often say, with a superior air, "could Sylla do such a thing, and cannot I do it?" as if determined to make Sylla's victory the pattern of his own. He was now in much the same circumstances in which that conqueror had once been; sustaining the cause of the senate by his arms, and treated as an enemy by those who possessed Italy: and, as he flattered himself with the same

A. Urb. 704. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

and threatening ruin and proscription to all his enemies. This frequently shocked Cicero, as we find from many of his letters, to consider with what cruelty and effusion of civil blood the success, even of his own friends, would certainly be attended<sup>1</sup>.

We have no account of the manner and circumstances of his voyage, or by what course he steered towards Dyrrachium: for, after his leaving Italy, all his correspondence with it was in great measure cut off; so that from June, in which he sailed, we find an intermission of about nine months in the series of his letters, and not more than four of them written to Atticus during the continuance of the war<sup>2</sup>. He arrived, however, safely in Pompey's camp with his son, his brother, and nephew, committing the fortunes of the whole family to the issue of that cause: and that he might make some amends for coming so late, and gain the greater authority with his party, he furnished Pompey, who was in great want of money, with a large sum, out of his own stock, for the public service<sup>3</sup>.

But, as he entered into the war with reluctance, so he found nothing in it but what increased his disgust: he disliked every thing which they had done, or designed to do; saw nothing good amongst them but their cause; and that their own counsels would ruin them: for all the chiefs of the party, trusting to the superior fame and authority of Pompey, and dazzled with the splendour of the troops, which the princes of the east had sent to their assistance, assured themselves of victory; and, without reflecting on the different character of the two armies, would hear of nothing but fighting. It was Cicero's business, therefore, to discourage this wild spirit, and to represent the hazard of the war, the force of Cæsar, and the probability of his beating them, if ever they ventured a battle with him: but all his remonstrances were slighted, and he himself reproached as timorous and cowardly by the other leaders: though nothing afterwards happened to them, but what he had often foretold<sup>4</sup>. This soon made him repent of embarking in

<sup>1</sup> Quam crebro illud, Sylla potuit, ego non potero?—

Ita Syllaturū animus ejus, et proscripserū diu. [Att. 9. 10.] Cæsus noster Syllani regni similitudinem concupivit. εὐδὸς σοι λέγας. [Ibid. 7.] ut non nominatim sed generatim proscriptio esset informata. Ibid. 11. 6.

<sup>2</sup> Vld. Ibid. 11. 1, 2, 3, 4.

<sup>3</sup> Etsi ego rebus omnibus, quod is quoque in angustis est, quicum sumus, cui magnam dedimus pecuniam mutuatam, opinantes nobis, constitutis rebus, eam rem etiam honori fore. [Ibid. 11. 3.] si quas habuimus facultates, eas Pompeio tum, cum id videbatur sapienter facere, detulimus. Ibid. 13.

<sup>4</sup> Quippo mihi nec quæ accidunt, nec quæ aguntur, ullo modo probantur. [Ibid. 11. 4.] nihil boni præter causam. [Ep. Fam. 7. 3.] itaque ego, quem tum fortes illi viri, Domitii et Lentuli, timidum esse dicebant, &c. [Ibid. 6. 2f.] quo quidem in bello, nihil adversi accidit non predicente me. Ibid. 6.

A. Urb. 704 Cic. 28. Com.—C. Claudius Marcellus. L. Corn. Lentulus Cr.

a cause so imprudently conducted; and it added to his discontent, to find himself even blamed by Cato for coming to them at all, and deserting that neutral post, which might have given him the better opportunity of bringing about an accommodation<sup>1</sup>.

In this disagreeable situation he declined all employment, and finding his counsels wholly slighted, resumed his usual way of raillery, and what he could not dissuade by his authority, endeavoured to make ridiculous by his jests. This gave occasion, afterwards, to Antony, in a speech to the senate, to censure the levity of his behaviour in the calamity of a civil war, and to reflect not only upon his fears, but the unseasonableness also of his jokes: to which Cicero answered, that though their camp, indeed, was full of care and anxiety, yet in circumstances the most turbulent, there were certain moments of relaxation, which all men, who had any humanity in them, were glad to lay hold on: but while Antony reproached him, both with dejection and joking at the same time, it was a sure proof that he had observed a proper temper and moderation in them both<sup>2</sup>.

Young Brutus was also in Pompey's camp, where he distinguished himself by a peculiar zeal: which Cicero mentions as the more remarkable, because he had always professed an irreconcilable hatred to Pompey, as to the murderer of his father<sup>3</sup>. But he followed the cause, not the man: sacrificing all his resentments to the service of his country, and looking now upon Pompey as the general of the Republic, and the

A. Urb. 704. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Crus.

not only to have been prudent, but necessary<sup>1</sup>. What shocked people so much at it, was the discovery that it made of his weakness and want of preparation; and after the security, which he had all along affected, and the defiance so oft declared against his adversary, it made him appear contemptible to run away at last on the first approach of Cæsar: "Did you ever see," says Cælius, "a more silly creature than this Pompey of your's: who, after raising all this bustle, is found to be such a trifler? or did you ever read or hear of a man more vigorous in action, more temperate in victory, than our Cæsar?"

Pompey had left Italy about a year before Cæsar found it convenient to go after him; during which time he had gathered a vast fleet from all the maritime states and cities dependant on the empire, without making any use of it to distress an enemy who had no fleet at all: he suffered Sicily and Sardinia to fall into Cæsar's hands without a blow; and the important town of Marseilles, after having endured a long siege for its affection to his cause: but his capital error was the giving up Spain, and neglecting to put himself at the head of the best army that he had, in a country devoted to his interests, and commodious for the operations of his naval force: when Cicero first heard of this resolution, he thought it monstrous<sup>2</sup> and, in truth, the committing that war to his lieutenants against the superior genius and ascendant of Cæsar, was the ruin of his best troops and hopes at once.

Some have been apt to wonder, why Cæsar, after forcing Pompey out of Italy, instead of crossing the sea after him, when he was in no condition to resist, should leave him for the space of a year to gather armies and fleets at his leisure, and strengthen himself with all the forces of the east. But Cæsar had good reasons for what he did: he knew, that all the troops, which could be drawn together from those countries, were no match for his; that if he had pursued him directly to Greece, and driven him out of it, as he had done out of Italy, he should have driven him probably into Spain, where, of all places, he desired the least to meet him; and where, in all

<sup>1</sup> Quorum dux quam *δοτρατήγητος*, tu quoque animadvertis, cui ne Picena quidem ota sunt: quam autem sine consilio, res testis. Ad Att. 7. 13.

<sup>2</sup> Si iste Italiam relinquet, faciet omnino male, et ut ego existimo *ἀλογιστως*, &c. Ibid. 9. 10.

<sup>3</sup> Equando tu hominem ineptiorem quam tuum Cn. Pompeium vidisti? qui tantas urbes, qui tam nugax esset, commisit? eequem autem Cæsare nostro acriorum in omni agendis, eodem in victoria temperatiorem, aut legisti aut audisti? Ep. Fam. 15.

<sup>4</sup> Omnia hæc classis Alexandria, Colchis, Tyro, Salone, Cypro, Pamphylia, Lycia, Rhodo, &c. ad intercludendos Italise commensus—comparatur. Ad Att. 9. 9.

Nunciant Egyptum—cogitare; Hispaniam subiecisse. Monstra narrant. Ibid. 9. 11.

A. Urb. 704. Cic. 58. Cons.—C. Claudius Marcellus. L. Corn. Lentulus Cra

events, Pompey had a sure resource, as long as it was possessed by a firm and veteran army: which it was Caesar's business, therefore, to destroy, in the first place, or he could expect no success from the war; and there was no opportunity of destroying it so favourable, as when Pompey himself was at such a distance from it. This was the reason of his marching back with so much expedition, to find, as he said, an army without a general, and return to a general without an army. The event shewed, that he judged right; for within forty days from the first sight of his enemy in Spain, he made himself master of the whole province<sup>2</sup>.

A. Urb. 705. Cic. 59. Cons.—C. Julius Caesar II. P. Servilius Vatia Isauricus.

AFTER the reduction of Spain, he was created dictator by M. Lepidus, then prætor at Rome, and by his dictatorial power declared himself consul, with P. Servilius Isauricus; but he was no sooner invested with this office, than he marched to Brundisium, and embarked on the fourth of January, in order to find out Pompey. The carrying about in his person the supreme dignity of the empire added no small authority to his cause, by making the cities and states abroad the more cautious of acting against him, or giving them a better pretence, at least, for opening their gates to the consul of Rome—<sup>3</sup>. Cicero, all this while despairing of any good from the war, had been using all his endevours to dispose his friends to peace, till Pompey forbade any further mention of it in con-

A. Urb. 705. Ch. 59. Com.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

ships, and remove the war into some distant place. Upon this Dolabella, who was with Cæsar, sent a letter to Cicero, to Pompey's camp, exhorting him, that if Pompey should be driven from these quarters, to seek some other country, he could sit down quietly at Athens, or any city remote from the war: that it was time to think of his own safety, and be a friend to himself, rather than to others: that he had now fully satisfied his duty, his friendship, and his engagements to that party, which he had espoused in the Republic: that there was nothing left, but to be where the Republic itself now was, rather than following that ancient one to be in none at all—and that Cæsar would readily approve this conduct<sup>1</sup>: but the war took a quite different turn; and, instead of Pompey's running away from Dyrrachium, Cæsar, by an unexpected defeat before it, was forced to retire the first, and leave to Pompey the credit of pursuing him, as in a kind of flight, towards Macedonia.

While the two armies were thus employed, Cælius, now prætor at Rome, trusting to his power, and the success of his party, began to publish several violent and odious laws, especially one for the cancelling of all debts<sup>2</sup>. This raised a great flame in the city, till he was over-ruled and deposed from his magistracy by the consul Servilius and the senate: but, being made desperate by this affront, he recalled Milo, from his exile at Marseilles, whom Cæsar had refused to restore: and, in concert with him, resolved to raise some public commotion in favour of Pompey. In this disposition he wrote his last letter to Cicero; in which, after an account of his conversation, and the service which he was projecting, "you are asleep," says he, "and do not know how open and weak we are here: what are you doing? are you waiting for a battle, which is sure to be against you? I am not acquainted with your troops; but our's have been long used to fight hard, and to bear cold and hunger with ease<sup>3</sup>." But this disturbance, which began to alarm all Italy, was soon ended, by the death of the authors of it, Milo and Cælius, who perished in their rash attempt, being destroyed by the soldiers, whom they were endeavouring to debauch. They had both attached themselves very early to the interests and the authority of Cicero, and were qualified by

<sup>1</sup> Illud autem a te peto, ut, si jam ille evitaverit hoc periculum, et se abdiderit in classem, tu tuis rebus consulas: et aliquando tibi potius quam cuivis sis amicus. Satisfactum est jam a te vel officio, vel familiaritati; satisfactum etiam partibus, et ei Reipub. quam tu probabas. Reliquum est, ubi nunc est Respub. ibi amicus potius, quam dum veterem illam sequamur, simul in nulla. Ep. Fam. 9. 9.

<sup>2</sup> C. Comm. 3. 600.

<sup>3</sup> dormitis, nec hæc adhuc mihi videmini intelligere, quam nos pateamus, et quam illi—quid istuc facitis? prælium expectatis, quod firmissimum est? vestras vi. Nostri valde depugnare, et facile algere et caurire consueverint. Ep.

A. Urb. 705. Cic. 59. Cœs.—C. Julius Cæsar II. P. Servilius Vatin Læstina.

their parts and fortunes, to have made a principal figure in the Republic, if they had continued in those sentiments, and adhered to his advice; but their passions, pleasures, and ambition got the ascendant; and, through a factious and turbulent life, hurried them on to this wretched fate.

All thoughts of peace being now laid aside, Cicero's next advice to Pompey was to draw the war into length, nor ever to give Cæsar the opportunity of a battle. Pompey approved this counsel, and pursued it for some time, till he gained the advantage above mentioned before Dyrrachium; which gave him such a confidence in his own troops, and such a contempt of Cæsar's, that "from this moment," says Cicero, "the great man ceased to be a general; opposed a raw, new-raised army to the most robust and veteran legions; was shamefully beaten; and, with the loss of his camp, forced to fly away alone."

Had Cicero's advice been followed, Cæsar must inevitably have been ruined; for Pompey's fleet would have cut off all supplies from him by sea; and it was not possible for him to subsist long at land, while an enemy, superior in number of troops, was perpetually harassing him, and wasting the country: and the report every where spread, of his flying from Dyrrachium, before a victorious army, which was pursuing him, made his march every way the more difficult, and the people of the country more shy of assisting him; till the despicable figure that he seemed to make, raised such an impatience for fighting, and assurance of victory, in the Pompeian chiefs, as drew them to the fatal resolution of giving him battle at Pharsalia. There

A. Urb. 705. Cic. 59. Cons.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

himself approved, than in all the other wars in which he had been engaged. In his wars against foreign enemies, his power was absolute, and all his motions depended on his own will; but in this, besides several kings and princes of the east, who attended him in person, he had with him, in his camp, almost all the chief magistrates and senators of Rome; men of equal dignity with himself, who had commanded armies, and obtained triumphs, and expected a share in all his counsels, and that in their common danger, no step should be taken, but by their common advice: and, as they were under no engagement to his cause, but what was voluntary, so they were necessarily to be humoured, lest through disgust, they should desert it. Now these were all uneasy in their present situation, and longed to be at home, in the enjoyment of their estates and honours; and, having a confidence of victory, from the number of their troops, and the reputation of their leader, were perpetually teasing Pompey to the resolution of a battle; charging him with a design to protract the war for the sake of perpetuating his authority, and calling him another Agamemnon, who was proud of holding so many kings and generals under his command<sup>1</sup>; till, being unable to withstand their reproaches any longer, he was driven, by a kind of shame, and against his judgment, to the experiment of a decisive action.

Cæsar was sensible of Pompey's difficulty, and persuaded that he could not support the indignity of shewing himself afraid of fighting; and from that assurance, exposed himself often more rashly than prudence would otherwise justify: for his besieging Pompey at Dyrrachium, who was master of the sea, which supplied every thing to him that was wanted, while his own army was starving at land; and the attempt to block up entrenchments so widely extended, with much smaller numbers than were employed to defend them, must needs be thought rash and extravagant, were it not for the expectation of drawing Pompey by it to a general engagement: for when he could not gain that end, his perseverance in the siege had like to have ruined him, and would inevitably have done so, if he had not quitted it, as he himself afterwards owned<sup>2</sup>.

<sup>1</sup> Καὶ ἐπὶ τῷδε αὐτὸν βασιλεῖα καὶ Ἀγαμέμνων καλοῦνται, ὅτι κακῆν βασιλείαν ἐκ τῶν πόλεμον ἤρχεν· ἐξίστη τῶν οἰκείων λογισμῶν καὶ ἐσίδωκεν αὐτοῖς. App. p. 470.

Milites otium, socii moram, principes ambitum ducis increpabant. Flor. l. 4. 2. Dio, p. 185. Plut. in Pomp.

<sup>2</sup> Cæsar pro natura ferox, et conficiendæ rei cupidus, ostentare aciem, provocare, lacerare; nunc obsidione castrorum, quæ sedecim millium vallo obduxerat; (sed quid his obesset obsidio, qui patente mari omnibus copiis abundarent?) nunc expugnatione Dyrrachii irrita, &c. Flor. l. 4. c. 2.

Ὁμολόγει τε μεταγινώσκειν πρὸς Δυρράχίῳ στρατοπεδεύσαι, &c. App. p. 480

A. Urb. 705. Cic. 59. *Cont.*—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

It must be observed, likewise, that, while Pompey had no walls or entrenchments between him and Cæsar, not all Cæsar's vigour, nor the courage of his veterans, could gain the least advantage against him; but, on the contrary, that Cæsar was baffled and disappointed in every attempt. Thus, at Brundisium, he could make no impression upon the town, till Pompey at full leisure, had secured his retreat, and embarked his troops: and at Dyrrachium, the only considerable action which happened between them, was not only disadvantageous, but almost fatal to him. Thus far, Pompey certainly shewed himself the greater captain, in not suffering a force, which he could not resist in the field, to do him any hurt, or carry any point against him, since that depended on the skill of the general. By the help of entrenchments, he knew how to make his new raised soldiers a match for Cæsar's veterans: but when he was drawn to encounter him on the open plain, he fought against insuperable odds, by deserting "his proper arms," as Cicero says, "of caution, counsel, and authority, in which he was superior, and committing his fate to swords and spears, and bodily strength, in which his enemies far excelled him<sup>1</sup>."

Cicero was not present at the battle of Pharsalia, but was left behind at Dyrrachium, much out of humour, as well as out of order. His discontent to see all things going wrong on that side, and contrary to his advice, had brought upon him an ill habit of body, and weak state of health, which made him decline all public command; but he promised Pompey to follow, and continue with him, as soon as his health permitted<sup>2</sup>; and as a pledge of his sincerity, sent his son, in the meanwhile, along

A. Urb. 705. Cic. 59. Cons.—C. Julius Cæsar II. P. Servilius Vatia Isauricus.

the sword, and would have killed him upon the spot, if Cato had not prevented it. This fact is not mentioned by Cicero, but seems to be referred to in his speech for Marcellus, where he says, that in the very war he had been a perpetual assertor of peace, to the hazard even of his life<sup>1</sup>. But the wretched news from Pharsalia threw them all into such a consternation, that they presently took shipping, and dispersed themselves severally, as their hopes or inclinations led them, into the different provinces of the empire<sup>2</sup>. The greatest part, who were determined to renew the war, went directly into Afric, the general rendezvous of their scattered forces: whilst others, who were disposed to expect the farther issue of things, and take such measures as fortune offered, retired to Achaia: but Cicero was resolved to make this the end of the war to himself, and recommended the same conduct to his friends, declaring, that as they had been no match for Cæsar when entire, they could not hope to beat him, when shattered and broken<sup>3</sup>: and so, after a miserable campaign, of about eighteen months, he committed himself, without hesitation, to the mercy of the conqueror, and landed again at Brundisium about the end of October.

A. Urb. 706. Cic. 60. Cons.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

### SECTION VIII.

CICERO no sooner returned to Italy, than he began to reflect, that he had been too hasty in coming home, before the war was determined, and without any invitation from the conqueror; and in a time of the general licence, had reason to apprehend some insult from the soldiers, if he ventured to appear in public with his fasces and laurel; and yet to drop them, would be a diminution of that honour, which he had received from the Roman people, and the acknowledgment of a power superior to the laws: he condemned himself, therefore, for not continuing abroad, in some convenient place of retirement, till he had been sent for, or things were better settled<sup>4</sup>.

<sup>1</sup> Multa de pace dixi, et in ipso bello, eadem etiam cum capitis mei periculo sensi. Pro Marcell. 5.

<sup>2</sup> Paucis sane post diebus ex Pharsalica fuga venisse Labienum: qui cum interitum exercitus nunciavisset—naves subito perterriti conscendisti. De Divin. 1. 32.

<sup>3</sup> Hunc ego belli mihi finem feci: nec putavi, cum integri pares non fuissimus, fractos superiores fore. Ep. Fam. 7. 3.

<sup>4</sup> Ego vero et incaute, ut scribis, celerius quam oportuit, feci, &c. Ad Att. 11. 9.

Quare voluntatis me mee nunquam poenitebit, consilii poenitet. In oppido aliquo mallem rosedisse, quoad arcesseret. Minus sermonis subissem: minus accepissem doloris: ipsum hoc non me angeret. Brundisii jacere in omnes partes est molestum. Propius accedere, ut suades, quomodo sine lictoribus, quos populus dedit, possum? qui mihi incolumi adimi non possunt. Ibid. 6.

A. Urb. 706. Cic. 69. Cons.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Imp.

What gave him the greater reason to repent of this step, was a message which he received from Antony, who governed it in Cæsar's absence, and with the same churlish spirit with which he would have held him before in Italy against his will, seemed now disposed to drive him out of it: for he sent him the copy of a letter from Cæsar, in which Cæsar signified, that he had heard that Cato and Metellus were at Rome, and appeared openly there, which might occasion some disturbance: wherefore he strictly enjoined, that none should be suffered to come to Italy without a special licence from himself. Antony, therefore, desired Cicero to excuse him, since he could not help obeying Cæsar's commands; but Cicero sent L. Lælius to assure him that Cæsar had ordered Dolabella to write to him to come to Italy as soon as he pleased; and that he came upon the authority of Dolabella's letter: so that Antony, in the edict, which he published to exclude the Pompeians from Italy, excepted Cicero by name; which added still to his mortification, since all his desire was to be connived at only, or tacitly permitted, without being personally distinguished from the rest of his party<sup>1</sup>.

But he had several other grievances of a domestic kind, which concurred also to make him unhappy: his brother Quintus, with his son, after their escape from Pharsalia, followed Cæsar into Asia, to obtain their pardon from him in person. Quintus had particular reason to be afraid of his resentment, on account of the relation which he had borne to him, as one of his lieutenants in Gaul, where he had been treated by him with great generosity; so that Cicero himself

A. Urb. 706. Clc. 60. Cont.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

brother and nephew should hurt themselves rather than him, by their perfidy<sup>1</sup>: for, under all the sense of this provocation, his behaviour was just the reverse of theirs; and having been informed that Cæsar, in a certain conversation, had charged his brother with being the author of their going away to Pompey, he took occasion to write to him in the following terms:

“As for my brother, I am not less solicitous for his safety, than my own; but, in my present situation, dare not venture to recommend him to you: all that I can pretend to, is, to beg that you will not believe him to have ever done any thing towards obstructing my good offices, and affection to you: but rather, that he was always the adviser of our union, and the companion, not the leader, of my voyage: wherefore, in all other respects, I leave it to you to treat him, as your own humanity, and his friendship with you, require; but I intreat you, in the most pressing manner, that I may not be the cause of hurting him with you, on any account whatsoever<sup>2</sup>.”

He found himself, likewise, at this time, in some distress for want of money, which, in that season of public distraction, it was very difficult to procure, either by borrowing or selling; the sum which he advanced to Pompey had drained him; and his wife, by her indulgence to stewards, and favourite servants, had made great waste of what was left at home; and, instead of saving any thing from their rents, had plunged him deeply into debt; so that Atticus's purse was the chief fund which he had to trust to for his present support<sup>3</sup>.

The conduct of Dolabella was a further mortification to him; who, by the fiction of an adoption into a plebeian family, had obtained the tribunate this year, and was raising great tumults and disorders in Rome, by a law, which he published, to expunge all debts. Laws of that kind had often been attempted by desperate or ambitious magistrates; but were always detested by the better sort, and particularly by Cicero, who treats them as pernicious to the peace and prosperity of states, and sapping the very foundations of civil society, by destroying all

<sup>1</sup> Quintus misit filium non solum sui deprecatorem, sed etiam accusatorem mei—neque vero desistit, ubicunque est, omnia in me maledicta conferre. Nihil mihi unquam tam incredibile accidit, nihil in his malis tam acerbum. Ibid. 11. 8.

Epistolas mihi legerunt plenas omnium in me probrorum—ipsi enim illi putavi perniculorum fore, si ejus hoc tantum scelus perciperet. Ibid. 9.

Quintum filium—volumen sibi ostendisse orationis, quam apud Cæsarem contra me enect habiturus—multa postea Patris consimili scelero Patrem esse locutum. Ibid. 10.

<sup>2</sup> Cum mihi litteræ a Balbo minore missæ essent, Cæsarem existimare, Quintum fratrem lituum meæ profectionis fuisse, sic enim scripsit. Ibid. 12.

<sup>3</sup> Velim consideres ut sit, unde nobis suppedientur sumtus necessarii. Si quas habuimus facultates, eas Pompeio, tum, cum id videbatur sapienter facere, detulimus. Ibid. 13.

A. Urb. 706. Cl. 69. Cons.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Læ.

faith and credit among men'. No wonder, therefore, that we find him taking this affair so much to heart, and complaining so heavily in many of his letters to Atticus, of the famedness of his son-in-law, as an additional source of affliction and disgrace to him'. Dolabella was greatly embarrassed in his fortunes, and, while he was with Cæsar abroad, seems to have left his wife destitute of necessaries at home, and forced her to recur to her father for subsistence. Cicero, likewise, either through the difficulty of the times, or for want of a sufficient settlement on Dolabella's part, had not yet paid all her fortune; which it was usual to do at three different payments within a time limited by law: he had discharged the two first, and was now preparing to make the third payment, which he frequently and pressingly recommends to the care of Atticus'. But Dolabella's whole life and character were so entirely contrary to the manners and temper both of Cicero and Tullia, that a divorce ensued between them not long after, though the account of it is delivered so darkly, that it is hard to say at what time or from what side it first arose.

In these circumstances, Tullia paid her father a visit at Brundisium, on the thirteenth of June: but his great love for her made their meeting only the more afflicting to him in that abject state of their fortunes: "I was so far," says he, "from taking that pleasure which I ought to have done from the virtue, humanity, and piety of an excellent daughter, that I was exceedingly grieved to see so deserving a creature in such an unhappy condition, not by her own, but wholly by my fault: I saw no reason, therefore, for keeping her longer

1. Urb. 706. Cic. 60. Com.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

this would be his fate: I cannot, however, help grieving at it; for I knew him to be an honest, grave, and worthy man.<sup>1</sup>

This was the short and true character of the man, from one who perfectly knew him; not heightened, as we sometimes find it, by the shining colours of his eloquence; nor depressed by the darker strokes of his resentment. Pompey had early acquired the surname of the GREAT, by that sort of merit, which, from the constitution of the Republic, necessarily made him great; a fame and success in war, superior to what Rome had ever known in the most celebrated of her generals. He had triumphed at three several times over the three different parts of the known world, Europe, Asia, Africa; and, by his victories, had almost doubled the extent, as well as the revenues, of the Roman dominion; for, as he declared to the people on his return from the Mithridatic war, he had found the lesser Asia the boundary, but left it the middle of their empire. He was about six years older than Cæsar; and while Cæsar, immersed in pleasures, oppressed with debts, and suspected by all honest men, was hardly able to shew his head, Pompey was flourishing in the height of power and glory, and, by the consent of all parties, placed at the head of the Republic. This was the post that his ambition seemed to aim at, to be the first man in Rome; the leader, not the tyrant, of his country; for he more than once had it in his power to have made himself the master of it, without any risk, if his virtue, or his phlegm at least, had not restrained him: but he lived in a perpetual expectation of receiving, from the gift of the people, what he did not care to seize by force; and, by fomenting the disorders of the city, hoped to drive them to the necessity of creating him dictator. It is an observation of all the historians, that while Cæsar made no difference of power, whether it was conferred or usurped; whether over those who loved, or those who feared him; Pompey seemed to value none but what was offered; nor to have any desire to govern, but with the good will of the governed. What leisure he found from his wars, he employed in the study of polite letters, and especially of eloquence, in which he would have acquired great fame, if his genius had not drawn him to the more dazzling glory of arms: yet he pleaded several causes with applause, in the defence of his friends and clients; and some of them in conjunction with Cicero. His language was copious and elevated; his senti-

<sup>1</sup> De Pompeii exitu mihi dubium nunquam fuit: tanta enim desperatio rerum ejus omnium Regum et populorum animos occuparat, ut quocunque venisset, hoc putarem futurum. Non possum ejus casum non dolere: hominem enim integrum et castum et grave cogovi. Ad Att. II. 6.

A. Urb. 706. Clc. 60. Cass.—C. Jul. Caesar Dictat. II. M. Antonius Mag. Equit.

son: the father of the reigning prince had been highly obliged to him for his protection at Rome, and restoration of his kingdom; and the son had sent a considerable fleet to his assistance, in the present war: but, in this ruin of his fortunes, what gratitude was there to be expected from a court governed by eunuchs and mercenary Greeks? all whose politics turned, not on the honour of the king, but the establishment of their own power; which was likely to be eclipsed by the admission of Pompey. How happy had it been for him to have died in that sickness, when all Italy was putting up vows and prayers for his safety; or if he had fallen by the chance of war, on the plains of Pharsalia, in the defence of his country's liberty, he had died still glorious, though unfortunate: but, as if he had been reserved for an example of the instability of human greatness, he, who a few days before commanded kings and consuls, and all the noblest of Rome, was sentenced to die by a council of slaves; murdered by a base deserter; cast out naked and headless on the Egyptian strand; and, "when the whole earth," as Velleius says, "had scarce been sufficient for his victories, could not find a spot upon it at last for a grave." His body was burnt on the shore by one of his freedmen, with the planks of an old fishing boat: and his ashes being conveyed to Rome, were deposited, privately, by his wife Cornelia, in a vault of his Alban villa. The Egyptians, however, raised a monument to him on the place, and adorned it with figures of brass, which being defaced afterwards by time, and buried almost in sand and rubbish, was sought out and restored by the Emperor Hadrian<sup>1</sup>.

<sup>1</sup> Hujus viri fastigium tantis auctibus fortuna extulit, ut primum ex Africa, iterum ex Europa, tertio ex Asia triumpharet; et quot partes terrarum Orbis sunt, totidem faceret monumenta victoris [Vell. Pat. 2. 40.] Ut ipse in concione dixit. Asiam ultimam provinciarum accepisse, mediam patriam reddidisse. [Plin. Hist. 7. 26. Flor. B. 5.] Potentis quæ honoris causa ad eum deferretur, non ut ab eo occuparetur, cupidissimus. [Vell. Pat. 2. 29. Dio, p. 178.] Meus autem equalis Cn. Pompeius, vir ad omnia summa natus, majorem dicendi gloriam habuisset, nisi eum majoris gloriæ cupiditas ad bellicas laudes abstraxisset. Erat oratione satis amplius: rem præstanter videbat: actio vero ejus habebat et in voce magnum splendorem, et in motu summam dignitatem. [Brut. 354, vid. it. pro Balb. 1, 2.] Forma excellens, non ea, qua flos commendatur ætatis, sed ex dignitate constanti. [Vell. Pat. 2. 29.] Illud in probum, ipsamque honorem eximie frontis. [Plin. Hist. 7. 12.] Solet enim aliud sentire et loqui, neque tantum valere ingenio, ut non appareat quid cupiat. [Ep. Fam. 8. 1.] Ille aluit, auxit, armavit—ille Gallie ulterioris adjunctor—ille provinciarum propagator; ille absentis in omnibus adjutor. [Ad Att. 8. 3.] Aluerat Casarem, eundem repente timere coeperat. [Ibid. 8.] Ego nihil prætermisi, quantum facere, nitique potui, quin Pompeium a Casaris conjunctione avocarem—idem ego, cum jam omnes opes et suæ et populi Romani Pompeius ad Casarem detulisset, atque ea sentire cupisset, quæ ego ante multo provideram—pæcis, concordie, compositionis auctor esse non desisti; mea quoque illa vox est nota multis, Utinam, Pompei, cum Casare societatem aut nunquam colesset, aut nunquam diremisset!—hæc mea, Antoni, et de Pompeio et de Repub. consilia fuerunt: quæ si valuissent, Respub. staret. [Phil. 2. 10.] Multi testes, me et initio ne conjungeret eo cum Casare, monuisse Pompeium, et postea, ne se jungeret, &c. [Ep. Fam. 6. 6.] Quid vero singularis ille vir ac pæne divinus de me sensit, sciunt, qui cum de Pharsalica fuga Paphum pro-

A. Urb. 705. Cl. 60. Cons.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Imp.

On the news of Pompey's death, Cæsar was declared dictator the second time in his absence, and M. Antony his master of the horse, who, by virtue of that post, governed all things absolutely in Italy. Cicero continued all the while at Brundisium, in a situation wholly disagreeable, and worse to him, he says, than any punishment: for the air of the place began to affect his health, and, to the uneasiness of mind added an ill state of body; yet, to move nearer towards Rome, without leave from his new masters, was not thought advisable; nor did Antony encourage it; being pleased rather, we may believe, to see him well mortified: so that he had no hopes of any ease or comfort, but in the expectation of Cæsar's return, which made his stay in that place the more necessary, for the opportunity of paying his early compliments to him on landing.

But what gave him the greatest uneasiness was, to be held still in suspense, in what touched him the most nearly, the case of his own safety, and of Cæsar's disposition towards him: for, though all Cæsar's friends assured him not only of pardon, but of all kind of favour, yet he had received no intimation of kindness from Cæsar himself, who was so embarrassed in Egypt, that he had no leisure to think of Italy, and did not so much as write a letter thither from December to June; for as he had rashly, and out of gaiety, as it were, involved himself there in a most desperate war, to the hazard of all his fortunes, he was ashamed, as Cicero says<sup>1</sup>, to write any thing about it, till he had extricated himself out of that difficulty.

A. Urb. 706. Clc. 60. Cons.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

to his obedience: for Curio after he had driven Cato of Sicily, being ambitious to drive Varus also out of Sicily, and having transported thither the best part of four legions, which Cæsar had committed to him, was, after some success upon his landing, entirely defeated and destroyed his whole army, in an engagement with Sabura, King of the Mauri.

Curio was a young nobleman of shining parts, admirably qualified by nature to adorn that character, in which his father and grandfather had flourished before him, of one of the principal orators of Rome. Upon his entrance into the Forum, he was committed to the care of Cicero; but a natural propensity to pleasure, stimulated by the example and counsels of a perpetual companion Antony, hurried him into all the extravagance of expense and debauchery: for Antony, who always wanted money, with which Curio abounded, was ever obsequious to his will, and ministering to his lusts, for the opportunity of gratifying his own; so that no boy, purchased for the use of lewdness, was more in a master's power, than Antony in Curio's. He was equally prodigal of his money, and his modesty; and not only of his own, but of other people's: so that Cicero, alluding to the infamous effeminacy of his life, calls him, in one of his letters, Miss Curio. But when the father, by Cicero's advice, had obliged him, by his paternal authority, to quit the familiarity of Antony, he reformed his conduct, and, adhering to the instructions and maxims of Cicero, became the favourite of the city, the leader of the young nobility, and a warm assertor of the authority of the senate, against the power of the triumvirate. After his father's death, upon his first taste of public honours, and admission into the senate, his ambition and thirst of popularity engaged him in so immense a prodigality, that to supply the magnificence of his shows and plays, with which he entertained the city, he was soon driven to the necessity of selling himself to Cæsar, having no revenue left, as Pliny says, but from the discord of his citizens. For this, he is considered commonly, by the old writers, as the chief instrument, and the trumpet, as it were, of the civil war, in which he justly fell the first victim; yet, after all his luxury and debauch, fought and died with a courage truly Roman, which would have merited a better fate, if it had been employed in a better cause; for, upon the loss of the battle, and his best troops, being admonished by his friends to save himself by flight, he answered, "That, after losing an army, which had been committed to him by Cæsar, he could never shew his face to him



Urb. 706. Clz. 69. Cons.—C. Jul. Cæsar Dictat. 11. M. Antonius Mag. Equit.

Under this anxiety of mind, it was an additional exaction to him to hear that his reputation was attacked at Rome, for submitting so hastily to the conqueror, or putting himself rather at all into his power. Some condemned him for not following Pompey; some more severely for not going to Afric, as the greatest part had done; others, for not retiring with many of the party to Achaia; till they could see the farther progress of the war. As he was always extremely sensible of what was said of him by honest men, so he begs of Atticus to be his advocate; and gives him some hints, which might be urged in his defence. As to the first charge, for not following Pompey, he says, that Pompey's fate would extenuate the omission of that step; of the second, that though he knew many brave men to be in Afric, yet it was his opinion, that the Republic neither could, nor ought to be defended by the help of so barbarous and treacherous a nation: as to the third, he wishes indeed that he had joined himself to those in Achaia, and owns them to be in a better condition than himself, because there were many of them together; and whenever they returned to Italy, would be restored to their own at once; whereas he was confined like a prisoner of war to Brundisium, without the liberty of stirring from it till Cæsar arrived.

While he continued in this uneasy state, some of his friends, at Rome, contrived to send him a letter in Cæsar's name, dated the ninth of February, from Alexandria, encouraging him to lay aside all gloomy apprehensions, and expect every thing that was kind and friendly from him: but it was drawn in terms so light and general, that instead of giving him any satisfaction, it made him only suspect, what he perceived afterwards to be true, that it was forged by Balbus or Oppius, on purpose to raise his spirits, and administer some little comfort to him<sup>1</sup>. All his accounts, however, confirmed to him the report of Cæsar's clemency and moderation, and his granting pardon, without exception, to all who asked it; and with regard to himself, Cæsar sent Quintus's virulent letters to Balbus,

*consensu venisse me video, ut ea sola utilia mihi esse videantur, quæ semper nolui.* Ibid. 1. 13.

<sup>1</sup> Dicebar debuisse cum Pompeio proficisci. Exitus illius minuit ejus officii preterminali reprehensionem. Sed ex omnibus nihil magis desideratur, quam quod in Africam non ierim. Judicio hoc sum usus, non esse barbaris auxiliis fallacissimæ gentis Romæ defendendam—extremum est eorum, qui in Achaia sunt. Ii tamen ipsi se hoc melius habent, quam nos, quod et multi sunt uno in loco, et cum in Italiam venerint, damnum statim venerint. Hæc tu perge, ut facias, mitigare et probare quam plurimæ. Ibid. 11. 7.

<sup>2</sup> Ut me ista epistola nihil consoletur: nam et exigue scripta est et magnas suspiciones habet, non esse ab illo. Ibid. 16.

Ex quo intelligis, illud de litteris a. d. v. Id. Feb. datis (quod inane esset, etiam si verum esset) non verum esse. Ibid. 17.

A. Urb. 706. Cic. 60. Coss.—C. Jul. Cæsar Dictat. II. M. Antonius Mag. Equit.

his life, he says, worth begging; since what was given by a master, might always be taken away again at pleasure<sup>1</sup>. But, at their meeting, he had no occasion to say or do any thing that was below his dignity; for Cæsar no sooner saw him, than he alighted and ran to embrace him; and walked with him alone, conversing very familiarly for several furlongs<sup>2</sup>.

From this interview, Cicero followed Cæsar towards Rome: he proposed to be at Tusculum on the seventh or eighth of October; and wrote to his wife to provide for his reception there, with a large company of friends, who designed to make some stay with him<sup>3</sup>. From Tusculum he came afterwards to the city, with a resolution to spend his time in study and retreat, till the Republic should be restored to some tolerable state; having made his peace again, as he writes to Varro, with his old friends, his books, who had been out of humour with him for not obeying their precepts; but, instead of living quietly with them, as Varro had done, committing himself to the turbulent counsels and hazards of war, with faithless companions<sup>4</sup>.

On Cæsar's return to Rome he appointed P. Vatinius and Q. Fufius Calenus, consuls for the three last months of the year: this was a very unpopular use of his new power, which he continued, however, to practise through the rest of his reign; creating these first magistrates of the state, without any regard to the ancient forms, or recourse to the people, and at any time of the year; which gave a sensible disgust to the city, and an early specimen of the arbitrary manner in which he designed to govern them.

A. Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

ABOUT the end of the year, Cæsar embarked for Afric, to pursue the war against Scipio, and the other Pompeian generals, who, assisted by king Juba, held the possession of that province with a vast army. As he was sacrificing for the success of this voyage, the victim happened to break loose, and run away from the altar; which being looked upon as an un-

<sup>1</sup> Sed non adducor, quemquam bonum ullam salutem mihi tanti fuisse putare, ut eam peterem ab illo. Ibid. 16.

Sed—ab hoc ipso quæ dantur, ut a Domino, rursus in ejusdem sunt potestate. Ibid. 20.

<sup>2</sup> Plut. in Cic.

<sup>3</sup> Ep. Fam. 14. 20.

<sup>4</sup> Scito enim me posteaquam in urbem venerim, rediisso cum veteribus amicis, id est, cum libris nostris in gratiam—ignoscunt mihi, revocant in consuetudinem pristinam, teque, quod in ea permanseris, sapientiore, quam me dicunt fuisse, &c. Ibid. 9. 1.

any one, the aruspex admonished him not to so  
 winter solstice: but he took ship directly, in con-  
 admonition: and, by that means, as Cicero says,  
 his enemies unprepared, and before they had draw-  
 a their forces. Upon his leaving the city, he dec-  
 self consul together with M. Lepidus, for the year  
 and gave the government of the Hither Gaul to M.  
 of Cicerus, to Servius Sulpicius; the first of whom I  
 in arms against him at Pharsalia: and the second  
 of Cicerus, likewise of the Pompeian cause, and a great  
 The African war now held the whole empire in sus-  
 Sulpicius name was thought ominous and invincible  
 ground: but while the general attention was employed  
 expectation of some decisive blow, Cicero, despairing  
 good from either side, chose to live retired, and out of  
 at whether in the city or the country, shut himself up  
 his books: which, as he often says, had hitherto been the  
 version only, but were now become the support of his  
 his humour of study, he entered into a close friendship  
 correspondence of letters with M. Terentius Varro: a friend-  
 ship equally valued on both sides, and, at Varro's desire  
 manifested by the mutual dedication of their learned works  
 each other: of Cicero's *Academic Questions* to Varro  
 Varro's *Treatise on the Latin Tongue* to Cicero. Varro  
 a scholar of the first distinction, both for birth and  
 esteem: the most learned man of Rome,  
 more than score years old, yet  
 insatiable books.

Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

of Afranius and Petreius, quitted his arms, and retired to studies; so that his present circumstances were not very different from those of Cicero; who, in all his letters to him, with great freedom, the utter ruin of the state; and that they should live together in a strict communication, and avoid, at least, the sight, if not the tongues; yet so, that, if their new masters should call for their aid towards settling the Republic, they should run with pleasure and assist, not only as architects, but even as masons, to build it up again: or, if nobody would employ them, should read the best forms of government, and as the learned men had done before them, serve their country, if not in Senate and Forum, yet by their books and studies, and by writing treatises of morals and laws<sup>1</sup>.

In this retreat, he wrote his book of Oratorial Partitions, or of ordering and distributing the parts of an oration, so as to adapt them in the best manner to their proper end, of convincing and persuading an audience. It was written for the instruction of his son, now about eighteen years old, but seems to have been the rude draught only of what he intended, or to have been finished, at least to his satisfaction; since we find no mention of it in any of his letters, as of all his other works which were prepared for the public.

Another fruit of this leisure was his dialogue on famous Orators, called Brutus, in which he gives a short character of all who had ever flourished, either in Greece or Rome, with any reputation of eloquence down to his own times; and as he generally touches the principal points of each man's life, so an attentive reader may find in it an epitome, as it were, of the Roman history. The conference is supposed to be held with Brutus and Atticus, in Cicero's garden at Rome, under the statue of Plato<sup>2</sup>, whom he always admired, and usually imitated in the manner of his dialogues; and in this seems to have copied from him the very form of his double title; Brutus, or of Famous Orators; taken from the speaker and the subject, as in Plato's piece, called Phædon, or of the Soul. This work was intended as a supplement, or a fourth book to the three which he had before published on the complete orator. But though it was prepared and finished at this

<sup>1</sup> Non decease si quis adhibere volet, non modo ut Architectos, verum etiam ut fabros, ad ædificandam Rempub. et potius libenter accurrere; si nemo utetur opera, tamen et scribere et legere πολιτείας; et si minus in curia atque in foro, at in litteris et libris, ut doctissimi veteres fecerunt, navare Rempub. et de moribus et legibus quærere. Mihi hæc videntur. Ep. Fam. 9. 2.

<sup>2</sup> Cum idem placuisset illis, tum in pratulo, propter Platonis Statuam consedimus. Brut. 28.

A. D. 707. C. 61. C. 67. — C. Julius Caesar III. M. Aemilius Lepidus.

time, while Cato was living, as it is intimated in ~~some~~ parts of it, yet, as it appears from the preface, it was not made public till the year following, after the death of his daughter Tullia.

As, at the opening of the war, we found Cicero in debt to Caesar, so now we meet with several hints, in his letters, of Caesar's being indebted to him. It arose, probably, from a mortgage that Cicero had upon the confiscated estate of ~~some~~ Pompeian, which Caesar had seized; but of what kind ~~now~~ it was, Cicero was in pain for his money; he saw but three ways, he says, of getting it; by purchasing the estate at Caesar's auction, or taking an assignment on the purchase, or compounding for half with the brokers or money-jobbers of those times, who would advance the money on those terms. The first he declares to be base, and that he would rather lose his debt, than touch any thing confiscated: the second he thought hazardous, and that nobody would pay any thing in such uncertain times: the third he liked the best, but desires Atticus's advice upon it<sup>1</sup>.

He now at last parted with his wife Terentia, whose humor and conduct had long been uneasy to him: this drew upon him some censure, for putting away a wife, who had lived with him above thirty years, the faithful partner of his bed and fortunes, and the mother of two children, extremely dear to him. But she was a woman of an imperious and turbulent spirit, expensive and negligent in her private affairs, busy and intriguing in the public, and, in the height of her husband's power, seemed to have had the chief hand in the distribution of all his favors.

A. Urb. 707. Cic. 61. Cons.—C. Julius Cæsar III. M. Æmilius Lepidus.

probably, to drop it<sup>1</sup>. What gave his enemies the better handle to rally him was, his marrying a handsome young woman, named Publia, of an age disproportioned to his age, to whom he was guardian; but she was well allied and in circumstances very convenient to him at this time, as he writes in a letter to a friend, who congratulated with him on the marriage.

As to your giving me joy," says he, "for what I have done, I know you wish it: but I should not have taken any new step in such wretched times, if at my return, I had not found my private affairs in no better condition than those of the Republic. For when, through the wickedness of those, who, for my infinite kindness to them, ought to have had the greatest concern for my welfare, I found no safety or ease from their intrigues and perfidy within my own walls, I thought it necessary to secure myself by the fidelity of new alliances against the treachery of the old<sup>2</sup>."

Cæsar returned victorious from Afric, about the end of July, by the way of Sardinia, where he spent some days: upon which Cicero says, pleasantly, in a letter to Varro, he had never seen that form of his before, which, though one of the worst that he has, he does not yet despise<sup>3</sup>. The uncertain event of the African war had kept the senate under some reserve; but they now began to push their flattery beyond all the bounds of decency, and decreed more extravagant honours to Cæsar, than were ever given before to man, which Cicero oft rallies with great spirit: and, being determined to bear no part in that servile adulation, was treating about the purchase of a house at Naples, for a pretence of retiring still farther and oftener from Rome. But his friends, who knew his impatience under their present subjection, and the free way of speaking which he was apt to indulge, were in some pain lest he should forfeit the good graces of Cæsar and his favourites, and provoke them

<sup>1</sup> De Pompeii magni filia tibi rescripsi, nihil me hoc tempore cogitare. Alteram vero illam, quam tu scribis, puto nosti. Nihil vidi fœdus. Ibid. 12. 11.

<sup>2</sup> Ep. Fam. 4. 14.

In cases of divorce, where there were children, it was the custom for each party to make a settlement, by will, on their common offspring, proportionable to their several estates: which is the meaning of Cicero's pressing Atticus so often, in his letters, to put Terentia in mind of making her will, and depositing it in safe hands. Ibid. 11. 21, 22. 24: 12. 18.

Terentia is said to have lived to the age of an hundred and three years; [Val. Max. 8. 13. Plin. Hist. 7. 48.] and took, as St. Jerome says, for her second husband, Cicero's enemy, Sallust; and Messala for her third. Dio Cassius gives her a fourth, Vibius Rufus; who was consul in the reign of Tiberius, and valued himself for the possession of two things, which had belonged to the two greatest men of the age before him, Cicero's wife, and Cæsar's chair, in which he was killed. Dio, p. 612. Hieron. Op. To. 4. par. 2. p. 190.

<sup>3</sup> Illud enim adhuc prædium suum non inspexit: nec ullum habet deterius, sed tamen non contemnit. Ep. Fam. 9. 7.

A. D. 707. Cæsar II. Cæsar III. Julius Cæsar III. M. Aemilius Lepidus.

too far by the keenness of his raillery<sup>1</sup>. They pressed him to accommodate himself to the times, and to use more caution in his discourse, and to reside more at Rome, especially when Cæsar was there, who would interpret the distance and retreat which he affected, as a proof of his aversion to him.

But his answers, on this occasion, will shew the real state of his sentiments and conduct towards Cæsar, as well as of Cæsar's towards him. Writing on this subject to Papirius Pætus, he says, "You are of opinion, I perceive, that it will not be allowed to me, as I thought it might be, to quit these affairs of the city: you tell me of Catulus, and those times; but what similitude have they to these? I myself was unwilling, at that time, to stir from the guard of the state: for I then sat at the helm, and held the rudder, but am now scarce thought worthy to work at the pump: would the senate, think you, pass fewer decrees, if I should live at Naples? While I am still at Rome, and attend the Forum, their decrees are all drawn at our friend's house: and, whenever it comes into his head, my name is set down, as if present at drawing them; so that I hear from Armenia and Syria of decrees, said to be made at my motion, of which I had never heard a syllable at home. Do not take me to be in jest: for I assure you that I have received letters from kings, from the remotest parts of the earth, to thank me for giving them the title of king: when, so far from knowing that any such title had been decreed to them, I knew not even that there were any such men in being. What is then to be done? why, as long as our master of manners continues here, I stay to see him, and so long; but as soon as he is gone, I will go

A. Urb. 707. Cic. 61. Cons.—C. Julius Cæsar III. M. Ænilius Lepidus.

ever, I say, can be done by art, towards acquiring their good graces, I have already done it with the greatest care; nor, as I believe, without success: for I am so much courted by all, who are in any degree of favour with Cæsar, that I begin to fancy that they love me: and though real love is not easily distinguished from false, except in the case of danger, by which the sincerity of it may be tried, as of gold by fire; for all other marks are common to both; yet I have one argument to persuade me that they really love me; because both my condition and theirs is such, as puts them under no temptation to dissemble; and as for him, who has all power, I see no reason to fear any thing, unless that all things become of course uncertain, when justice and right are once deserted; nor can we be sure of any thing that depends on the will, not to say the passion of another. Yet I have not, in any instance, particularly offended him, but behaved myself all along with the greatest moderation: for, as once I took it to be my duty to speak my mind freely in that city, which owed its freedom to me; so now, since that is lost, to speak nothing that may offend him, or his principal friends: but if I would avoid all offence, of things said facetiously, or by way of raillery, I must give up all reputation of wit; which I would not refuse to do, if I could. But as to Cæsar himself, he has a very piercing judgment; and as your brother Servius, whom I take to have been an excellent critic, would readily say, ‘this verse is not Plautus’s, that verse is;’ having formed his ears, by great use, to distinguish the peculiar style and manner of different poets, so Cæsar, I hear, who has already collected some volumes of apophthegms, if any thing be brought to him for mine, which is not so, presently rejects it; which he now does the more easily, because his friends live almost continually with me; and in the variety of discourse, when any thing drops from me, which they take to have some humour or spirit in it, they carry it always to him, with the other news of the town, for such are his orders: so that if he hears any thing besides of mine, from other persons, he does not regard it. I have no occasion, therefore, for your example of Ænomaus, though aptly applied from Accius: for what is the envy which you speak of? or what is there in me to be envied now? but suppose there was every thing: it has been the constant opinion of philosophers, the only men, in my judgment, who have a right notion of virtue, that a wise man has nothing more to answer for, than to keep himself free from guilt; of which I take myself to be clear, on a double account; because I both pursued those measures which were the justest, and when I saw that I had not strength enough to carry them, did not think it my business to contend by force with those

A. Urb. 707. Cic. 61. Com.—C. Julius Caesar III. M. Aemilius Lepidus.

who were too strong for me. It is certain, therefore, that I cannot be blamed, in what concerns the part of a good citizen: all that is now left, is not to say or do any thing foolishly and rashly against the men in power; which I take also to be the part of a wise man. As for the rest, what people may repeat to be said by me, or how he may take it, or with what severity those live with me, who now so assiduously court me, it is not in my power to answer. I comfort myself, therefore, with the consciousness of my former conduct, and the moderation of my present: and shall apply your similitude from Accius, not only to the case of envy, but of fortune, which I consider as light and weak, and what ought to be repelled by a firm and great mind, as waves by a rock. For since the Greek history is full of examples, how the wisest men have endured tyrannies at Athens or Syracuse; and, when their cities were enslaved, have lived themselves in some measure free, why may not I think it possible to maintain my rank so, as neither to offend the mind of any, or hurt my own dignity?" &c.

Pætus having heard, that Caesar was going to divide some lands in his neighbourhood to the soldiers, began to be afraid for his own estate, and writes to Cicero, to know how far that distribution would extend: to which Cicero answers, "Are not you a pleasant fellow, who, when Balbus has just been with you, ask me what will become of those towns and their lands? as if either I knew any thing that Balbus does not; or if at any time, I chance to know any thing, I do not know it from him: but it is your trust, rather, if you love me, to be told by me."

A. Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

the Republic, as he himself, perhaps, may desire, and we all ought to wish, yet he has linked himself so with others, that he has not the power to do what he would. But I proceed too far; for I am writing to you: be assured, however of this, that not only I, who have no part in their counsels, but even the chief himself, does not know what will happen. We are subject to him, he to the times: so neither can he know what the times will require, nor we what he may intend<sup>1</sup>," &c.

The chiefs of the Cæsarian party, who courted Cicero so much at this time, were Balbus, Oppius, Matus, Pansa, Hirtius, Dolabella: they were all in the first confidence with Cæsar, yet professed the utmost affection for Cicero; were every morning at his levee, and perpetually engaged him to sup with them; and the two last employed themselves in a daily exercise of declaiming at his house, for the benefit of his instruction; of which he gives the following account in his familiar way, to Pætus:—"Hirtius and Dolabella are my scholars in speaking; my masters in eating: for you have heard, I guess, how they declaim with me, I sup with them." In another letter he tells him, that as king Dionysius, when driven out of Syracuse, turned schoolmaster at Corinth, so he, having lost his kingdom of the Forum, had now opened a school—to which he merrily invites Pætus, with the offer of a seat and cushion next to himself, as his usher<sup>2</sup>. But to Varro, more seriously, "I acquainted you," says he "before, that I am intimate with them all, and assist at their counsels: I see no reason why I should not—for it is not the same thing to bear what must be borne, and to approve what ought not to be approved." And, again: "I do not forbear to sup with those who now rule: what can I do? we must comply with the times<sup>3</sup>."

The only use which he made of all this favour was, to screen himself from any particular calamity in the general misery of the times, and to serve those unhappy men, who were driven from their country and their families, for their adherence to that cause, which he himself had espoused. Cæsar was desirous, indeed, to engage him in his measures, and attach him

<sup>1</sup> Ibid. 17.

<sup>2</sup> Hirtium ego et Dolabellam dicendi discipulos habeo, cœnandi magistros: puto enim to audire—illos apud me declamitare, me apud eos cœnare. Ibid. 16.

Ut Dionysius Tyrannus, cum Syracusis pulsus esset, Corinthi dicitur ludum aperuisse, sic ego—amisso regno forensi, ludum quasi habere cœperim—sella tibi erit in ludo, tanquam hypodidasculo, proxima: cum pulvinus sequetur. Ibid. 18.

<sup>3</sup> Ostentavi tibi, me istis esse familiarem, et consiliis eorum interesse. Quod ego cur nō lim nihil video. Non enim est idem, ferre si quid ferendum est, et probare, si quid probandum non est. Ibid. 6.

Non desino apud istos, qui nunc dominantur, cœnare. Quid faciam? tempori serviendum est. Ibid. 7.

A. D. 77. C. 61. C. 62.—Jul. et Cæsar III. M. Fandio Legio.

insensibly to his interests: but he would bear no part in an administration, established on the ruins of his country: he never cared to be acquainted with their affairs, or to inquire what they were doing: so that, whenever he entered into their counsels, as he signifies above to Varro, it was only when the case of some exiled friend required it, for whose service he scrupled no means of soliciting, and attending even ~~him~~ himself: though he was sometimes shocked, as he complains, by the difficulty of access, and the indignity of waiting in an antechamber: not, indeed, through Cæsar's fault, who was always ready to give him audience, but from the multiplicity of his affairs, by whose hands all the favours of the empire were dispensed. Thus, in a letter to Ampius, whose pardon he had procured, "I have solicited your cause," says he, "more eagerly than my present situation would well justify: for my desire to see you, and my constant love for you, most assiduously cultivated on your part, overruled all regard to the present weak condition of my power and interest. Every thing that relates to your return and safety is promised, confirmed, fixed, and ratified: I saw, knew, was present at every step: for, by good luck, I have all Cæsar's friends engaged to me by an old acquaintance and friendship: so that, next to him, they pay the first regard to me. Pansa, Hirtius, Balbus, Oppius, Marcellus, Postumius, take all occasions to give me proof of their singular affection. If this had been sought and procured by me, I should have no reason, as things now stand, to regret of my pains: but I have done nothing with the view of

A. Urb. 707. Cic. 61. Cons.—C. Julius Cæsar III. M. Æmilius Lepidus.

of his way of life, he says, “Early in the morning, I receive the compliments of many honest men, but melancholy ones, as well as of these gay conquerors; who shew indeed a very serious and affectionate regard to me. When these visits are over, I shut myself up in my library, either to write or read: and some, also, come to hear me, as a man of learning, because I am somewhat more learned than they: the rest of my time I give to the care of my body; for I have now bewailed my country longer, and more heavily, than any mother ever bewailed her only son <sup>1</sup>.”

It is certain, that there was not a man in the Republic so particularly engaged, both by principle and interest, to wish well to its liberty, or who had so much to lose by the subversion of it as he: for, as long as it was governed by civil methods, and stood upon the foundation of its laws, he was, undoubtedly, the first citizen in it; had the chief influence in the senate; the chief authority with the people: and, as all his hopes and fortunes were grounded on the peace of his country, all his labours and studies were perpetually applied to the promotion of it: it is no wonder, therefore, in the present situation of the city, oppressed by arms, and a tyrannical power, to find him so particularly impatient under the common misery, and expressing so keen a sense of the diminution of his dignity, and the disgrace of serving, where he had been used to govern.

Cæsar, on the other hand, though he knew his temper and principles to be irreconcilable to his usurped dominion, yet, out of friendship to the man, and a reverence for his character, was determined to treat him with the greatest humanity; and, by all the marks of public favour, to make his life not only tolerable, but easy to him: yet, all that he could do, had no other effect on Cicero, than to make him think and speak sometimes favourably of the natural clemency of their master: and to entertain some hopes from it, that he would one day be persuaded to restore the public liberty: but, exclusive of that hope, he never mentions his government, but as a real tyranny; or his person, in any other style, than as the oppressor of his country.

But he gave a remarkable proof, at this time, of his being no temporiser, by writing a book in praise of Cato; which he published within a few months after Cato's death. He seems

<sup>1</sup> Hæc igitur est nunc vita nostra. Mane salutamus domi et bonos viros multos, sed tristes, et hos lætos victores; qui me quidem perofficioso et peramanter observant. Ubi salutatio defluxit, litteris me involvo, aut scribo aut lego. Veniunt etiam qui me audiant, quasi doctum hominem, quia paullo sum, quam ipsi, doctior. Inde corpori omne tempus datur. Patriam eluxi jam gravius et diutius quam ulla mater unicum filium. Ibid. 9. 20.

A. U. C. 707. C. 61. Cæsar.—C. Julius Cæsar III. M. Ennius Læp. .

to have been left a guardian to Cato's son: as he was also a young Lucullus, Cato's nephew<sup>1</sup>: and this testimony of Cato's friendship and judgment of him, might induce him the more readily to pay this honour to his memory. It was a matter, however, of no small deliberation, in what manner he ought to treat the subject; his friends advised him not to be too explicit and particular, in the detail of Cato's praises; but to content himself with a general encomium, for fear of irritating Cæsar, by pushing the argument too far. In a letter to Atticus, he calls this "an Archimedean problem; but I cannot hit upon any thing," says he, "that those friends of your's will read with pleasure, or even with patience; besides, if I should drop the account of Cato's votes and speeches in the senate, and of his political conduct in the state, and give a slight commendation only of his constancy and gravity, even this may be more than they will care to hear: but the man cannot be praised, as he deserves, unless it be particularly explained, how he foretold all that has happened to us: how he took arms to prevent its happening; and parted with life rather than see it happen<sup>2</sup>." These were the topics which he resolved to display with all his force; and from the accounts given of the work by antiquity, it appears, that he had spared no pains to adorn it, but extolled Cato's virtue and character to the skies<sup>3</sup>.

The book was soon spread into all hands: and Cæsar, instead of expressing any resentment, affected to be much pleased with it; yet declared, that he would answer it: and

A. Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

some mistakes in his account of the transactions, in which Cato had been concerned, especially in the debates on Catiline's lot; in which he had given him the first part and merit, in derogation even of Cicero himself<sup>1</sup>.

Cæsar's answer was not published till the next year, upon his return from Spain, after the defeat of Pompey's sons. It was a laboured invective; answering Cicero's book, paragraph by paragraph, and accusing Cato with all the art and force of his rhetoric, as if in a public trial before judges<sup>2</sup>: yet with expressions of great respect towards Cicero; whom, for his virtues and abilities, he compared to Pericles and Themistocles of Athens<sup>3</sup>: and in a letter upon it to Balbus, which was shewn, by his order, to Cicero, he said, that by the frequent reading of Cicero's Cato, he was grown more copious; but, after he had read Brutus's, thought himself even eloquent<sup>4</sup>.

These two rival pieces were much celebrated in Rome; and had their several admirers, as different parties and interests disposed men to favour the subject of the author of each: and it is certain, that they were the principal cause of establishing and propagating that veneration which posterity has since paid to the memory of Cato. For his name being thrown into controversy, in that critical period of the fate of Rome, by the patron of liberty on the one side, and the oppressor of it on the other, became, of course, a kind of political test to all succeeding ages, and a perpetual argument of dispute between the friends of liberty and the flatterers of power. But if we consider his character without prejudice, he was certainly a great and worthy man: a friend to truth, virtue, liberty; yet falsely measuring all duty by the absurd rigour of the stoical rule, he was generally disappointed of the end, which he sought by it, the happiness both of his private and public life. In his private conduct, he was severe, morose, inexorable; banishing all the softer affections, as natural enemies to justice, and as suggesting false motives of acting, from favour, clemency, and compassion; in public affairs he was the same; had but one rule of policy, to adhere to what was right: without regard to times or circumstances, or even to a force that could control

<sup>1</sup> Catonem primum sententiam putat de animadversione dixisse; quam omnes antea præter Cæsarem, &c. Ad Att. 12. 21.

From this and other particulars, which are mentioned in the same letter, we may infer, that Sallust had probably taken his account of the debates upon Catiline's Accomplices, from Brutus's Life of Cato, and chosen to copy even his mistakes, rather than to do justice to Cicero on that occasion.

<sup>2</sup> Ciceronis libro—quid aliud Dictator Cæsar, quam rescripta oratione, velut apud iudices respondit? Tacit. Ann. 4. 34. it. Quintil. 3. 7.

<sup>3</sup> Plut. in Cic.

<sup>4</sup> Legi epistolam: multa de meo Catone, quo sæpissime legendo se dicit copiosiores; Bruti Catone lecto, se sibi visum disertum. Ad Att. 13. 46.

Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

æro, as it appears from his letters, was forced to use all  
 and authority to persuade him to return, and take the  
 of that grace, which they had been labouring to attain  
<sup>1</sup>. But how the affair was transacted, we may learn  
 icero's account of it to Serv. Sulpicius, who was then  
 ul of Greece—"Your condition," says he, "is better  
 ur's, in this particular, that you dare venture to write  
 rievances, we cannot even do that with safety: not  
 any fault of the conqueror, than whom nothing can  
 e moderate, but of victory itself, which, in civil wars,  
 is insolent: we have had the advantage of you, how-  
 one thing; in being acquainted, a little sooner than  
 th the pardon of your colleague Marcellus: or rather  
 in seeing how the whole affair passed; for I would  
 u believe, that, from the beginning of these miseries,  
 since the public right has been decided by arms, there  
 hing been done, besides this, with any dignity. For  
 himself, after having complained of the moroseness of  
 lus, for so he called it, and praised, in the strongest  
 the equity and prudence of your conduct, presently de-  
 beyond all our hopes, that whatever offence he had  
 d from the man, he could refuse nothing to the inter-  
 of the senate. What the senate did was this: upon the  
 n of Marcellus, by Piso, his brother Caius having thrown  
 at Cæsar's feet, they all rose up, and went forward, in  
 licating manner, towards Cæsar: in short, this day's  
 ppeared to me so decent, that I could not help fancying  
 saw the image of the old Republic reviving: when all,  
 re, who were asked their opinions before me, had re-  
 thanks to Cæsar, excepting Volcatius, (for he declared,  
 would not have done it, though he had been in Mar-  
 place,) I, as soon as I was called upon, changed my  
 for I had resolved with myself to observe an eternal  
 , not through any laziness, but the loss of my former  
 ; but Cæsar's greatness of mind, and the laudable zeal  
 senate, got the better of my resolution. I gave thanks,  
 re, to Cæsar, in a long speech, and have deprived my-  
 it, I fear, on other occasions, of that honest quiet,  
 was my only comfort in these unhappy times: but since  
 hitherto avoided giving him offence, and if I had always  
 ied silent, he would have interpreted it, perhaps, as a  
 of my taking the Republic to be ruined, I shall speak  
 : future not often, or rather, very seldom; so as to

<sup>1</sup> Ibid. 4. 7, 8, 9.



A. Urb. 707, Cto. 61. Cons.—C. Julius Cæsar III. M. Æmilius Lepidus.

ends of your nature by a satiety of living, you may then tell us, if you please, that you have lived long enough: yet what is it, after all, that we can really call long, of which there is an end? For when that end is once come, all past pleasure is to be reckoned as nothing, since no more of it is to be expected. Though your mind, I know, was never content with these narrow bounds of life, which nature has assigned to us, but inflamed always with an ardent love of immortality: nor is this, indeed, to be considered as your life, which is comprised in this body and breath; but that—that, I say, is your life, which is to flourish in the memory of all ages: which posterity will cherish, and eternity itself propagate. It is to this that you must attend; to this that you must form yourself; which has many things already to admire, yet wants something still, that it may praise in you. Posterity will be amazed to hear and read of your commands, provinces; the Rhine, the ocean, the Nile; your innumerable battles, incredible victories, infinite monuments, splendid triumphs; but, unless this city be established again by your wisdom and counsels, your name indeed will wander far and wide; yet will have no certain seat or place at last where to fix itself. There will be also amongst those, who are yet unborn, the same controversy that has been amongst us; when some will extol your actions to the skies, others, perhaps, will find something defective in them; and, that one thing above all, if you should not extinguish this flame of civil war, by restoring liberty to your country: for the one may be looked upon as the effect of fate, but the other is the certain act of wisdom. Pay a reverence, therefore, to those judges, who will pass judgment upon you in ages to come, and with less partiality, perhaps, than we; since they will neither be biassed by affection or party, nor prejudiced by hatred or envy to you: and though this, as some falsely imagine, should then have no relation to you, yet it concerns you certainly, at the present, to act in such a manner, that no oblivion may ever obscure the lustre of your praises. Various were the inclinations of the citizens, and their opinions wholly divided; nor did we differ only in sentiments and wishes, but in arms also and camps; the merits of the cause were dubious, and the contention between two celebrated leaders: many doubted what was the best; many what was convenient; many what was decent; some also what was lawful<sup>1</sup>,” &c.

But though Cæsar took no step towards restoring the Republic, he employed himself this summer in another work of general benefit to mankind, the reformation of the kalendar;

<sup>1</sup> Pro M. Marcell. 8, 9, 10.

A. U. C. 707. Cic. 61. Cons.—C. Julius Cæsar III. M. Æmilius Lepidus.

by accommodat<sup>ing</sup> the course of the year to the exact course of the sun ; from which it had varied so widely, as to occasion a strange confusion in all their accounts of time.

The Roman year, from the old institution of Numa, was lunar ; borrowed from the Greeks ; amongst whom it consisted of three hundred and fifty-four days : Numa added one more to them, to make the whole number odd, which was thought the more fortunate : and to fill up the deficiency of his year, to the measure of the solar course, inserted likewise, or intercalated, after the manner of the Greeks, an extraordinary month of twenty-two days every second year, and twenty-three every fourth, between the twenty-third and twenty-fourth days of February<sup>1</sup> : he committed the care of intercalating this month, and the supernumerary day, to the college of priests ; who, in process of time, partly by a negligent, partly a superstition, but chiefly by an arbitrary abuse of their trust, used either to drop or insert them, as it was found most convenient to themselves or their friends, to make the current year longer or shorter<sup>2</sup>. Thus Cicero, when harassed by a perpetual course of pleading, prayed that there might be no intercalation to lengthen his fatigue ; and when proconsul of Cilicia, pressed Atticus to exert all his interest to prevent any intercalation within the year ; that it might not protract his government, and retard his return to Rome<sup>3</sup>. Curio, on the contrary, when he could not persuade the priests to prolong the year of his tribunate by an intercalation, made that a pretence for abandoning the senate, and going over to Cæsar<sup>4</sup>.

This licence of intercalating introduced the confusion above-

A. Urb. 707. Cic. 61. Coss.—C. Julius Cæsar III. M. Æmilius Lepidus.

was supposed to be three hundred and sixty-five days and six hours, so he divided the days into twelve artificial months, and to supply the deficiency of the six hours, by which they fell short of the sun's complete course, he ordered a day to be intercalated after every four years, between the twenty-third and twenty-fourth of February<sup>1</sup>.

But to make this new year begin, and proceed regularly, he was forced to insert into the current year, two extraordinary months, between November and December; the one of thirty-three, the other of thirty-four days; besides the ordinary intercalary month of twenty-three days, which fell into it of course; which were all necessary to fill up the number of days that were lost to the old year, by the omission of intercalations, and to replace the months in their proper seasons<sup>2</sup>. All this was effected by the care and skill of Sosigenes, a celebrated astronomer of Alexandria, whom Cæsar had brought to Rome for that purpose<sup>3</sup>; and a new kalendar was formed upon it by Flavius, a scribe, digested according to the order of the Roman festivals, and the old manner of computing their days by Kalends, Ides, and Nones; which was published and authorized by the dictator's edict, not long after his return from Afric. This year, therefore, was the longest that Rome had ever known, consisting of fifteen months, or four hundred and forty-five days, and is called the last of the confusion<sup>4</sup>, because it introduced the Julian, or solar year, with the commencement of the ensuing January, which continues in use to this day in all Christian countries, without any other variation than that of the old and new style<sup>5</sup>.

Soon after the affair of Marcellus, Cicero had another occasion of trying both his eloquence and interest with Cæsar in the cause of Ligarius, who was now in exile on the account of

<sup>1</sup> This day was called Bissexthus, from its being a repetition or duplicate of the Sixth of the Kalends of March, which fell always on the 24th; and hence our Intercalary or Leap-year is still called Bissextile.

<sup>2</sup> Quo autem magis in posterum ex Kalendis Januariis nobis temporum ratio congrueret inter Novembrem et Decembrem mensem adjecit duos alios: fuitque is annus —xv. mensium cum Intercalario, qui ex consuetudine cum annum inciderat. Sueton. J. Cæs. 40.

<sup>3</sup> Plin. Hist. N. 18. 25.

<sup>4</sup> Adnitente sibi M. Flavio scriba, qui scriptos dies singulos ita ad Dictatorem detulit; ut et ordo eorum inveniri facillime posset, et invento certus status perseveraret —caque re factum est, ut annus confusionis ultimus in quadringentos quadraginta tres dies tenderetur. Macrobi. Saturn. l. 14. Dio, 227.

Macrobius makes this year to consist of 443 days, but he should have said 445, since, according to all accounts, ninety days were added to the old year of 355.

<sup>5</sup> This difference of the old and new style was occasioned by a regulation made by Pope Gregory, A. D. 1582; for it having been observed, that the computation of the Vernal Equinox was fallen back ten days from the time of the council of Nice, when it was found to be on the 21st of March; according to which all the festivals of the church were then solemnly settled; Pope Gregory, by the advice of astronomers, caused ten days to be entirely sunk and thrown out of the current year, between the 4th and 15th of October.

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his having been in arms against Cæsar, in the African war, in which he had borne a considerable command. His two brothers, however, had always been on Cæsar's side; and being recommended by Pansa, and warmly supported by Cicero, he almost prevailed for his pardon, of which Cicero gives the following account in a letter to Ligarius himself.

“CICERO TO LIGARIUS.

“I WOULD have you to be assured that I employ my whole pains, labour, care, study, in procuring your restoration; in as I have ever had the greatest affection for you, so the singular piety and love of your brothers, for whom, as well as yourself, I have always professed the utmost esteem, never suffer me to neglect any opportunity of my duty and service to you. But what I am now doing, or have done, I would have you learn from their letters, rather than mine; but as to what I hope, and take to be certain in your affair, that I choose to acquaint you with myself; for if any man be timorous in great and dangerous events, and fearing always the worst, rather than hoping the best, I am he; and if this be a fault, confess myself not to be free from it; yet, on the twenty-seventh of November, when, at the desire of your brothers, I had been early with Cæsar, and had gone through the trouble and indignity of getting access and audience, when your brothers and relations had thrown themselves at his feet, and I had said what your cause and circumstances required, I came away, persuaded that your pardon was certain; which I collected, not only from Cæsar's discourse, which was

A. Urb. 707. Cic. 61. Cons.—C. Julius Cæsar III. M. Æmilius Lepidus.

Cæsar privately encouraged the prosecution, and ordered the case to be tried in the Forum, where he sat upon it in person, strongly prepossessed against the criminal, and determined to hold on any plausible pretence for condemning him; but the force of Cicero's eloquence, exerted with all his skill, in a cause which he had much at heart, got the better of all his prejudices, and extorted a pardon from him against his will.

The merit of this speech is too well known, to want to be charged upon here: those who read it, will find no reason to charge Cicero with flattery: but the free spirit which it breathes, in the face of that power to which it was suing for mercy, must give a great idea of the art of the speaker, who could deliver such bold truths without offence, as well as of the generosity of the judge, who heard them not only with patience, but approbation.

"Observe, Cæsar," says he, "with what fidelity I plead Ligarius's cause, when I betray even my own by it. O that admirable clemency, worthy to be celebrated by every kind of poems, letters, monuments! M. Cicero defends a criminal before you, by proving him not to have been in those sentiments, in which he owns himself to have been: nor does he yet betray your secret thoughts, or, while he is pleading for another, what may occur to you about himself. See, I say, how little he is afraid of you. See, with what a courage and gaiety of speaking your generosity and wisdom inspire me. I will raise my voice to such a pitch, that the whole Roman people may hear me. After the war was not only begun, Cæsar, but in a great measure finished, when I was driven by no necessity, I went by choice and judgment to join myself with those who had taken arms against you. Before whom do I say this? why before him, who, though he knew it to be true, yet restored me to the Republic, before he had even seen me; who wrote to me from Egypt, that I should be the same man that I had always been; and when he was the only emperor within the dominion of Rome, suffered me to be the other; and to hold my laurelled fasces, as long as I thought them worth holding<sup>1</sup>. Do you then, Tubero, call Ligarius's conduct wicked? for what reason? since that cause has never yet been called by that name: some, indeed, call it mistake; others fear; those who speak more severely, hope, ambition, hatred, obstinacy; or, at the worst, rashness; but no man, besides you, has ever called it wickedness. For my part, were I to invent a proper and genuine name for our calamity, I should take it for a kind of fatality that had possessed the unwary minds of

<sup>1</sup> Pro Ligar. 3.

ever be charged on one's camp, and died with him. When did we ever hear you, Cæsar? or what other view had you to defend yourself from injury?—you considered not as a war, but a secession; not as an hostilities: where both sides wished well to the Republic, a difference, partly of counsels, partly of interests, from the common good: the dignity of the Republic equal; though not, perhaps, of those who were in the cause was then dubious, since there was something which might approve on either side; but now, you thought the best, which the gods have favoured by the experience of your clemency, who can be so much in victory, in which no man fell, who was not

This speech was soon made public, and all: Atticus was extremely pleased with it, and in recommending it; so that Cicero says in a letter, “you have sold my Ligarian speech for the future, I will make you the price of your authority, I perceive, has made my friends for Balbus and Oppius write me word, that they were fully taken with it, and have sent a copy of the success which it met with made Tubero as that he made in it; so that he applied to Cicero, and the thing inserted in his favour, with the men of some of his family, who were Cicero's friends. Cicero excused himself, because the speech was not his, nor had he a mind, he says, to make any such conduct”.

Ligarius was a man of distinguished zeal for his country: which was the reason both of his preservation, and of Cæsar's aversion to restore him. he lived in great confidence with

A. Urb. 707. Cl. 61. Cons.—C. Julius Cæsar III. M. Junius Brutus.

was a fit person to bear a part in the conspiracy against Cæsar; but, happening to be taken ill near the time of its execution, when Brutus, in a visit to him, began to lament that he was fallen sick in a very unlucky hour, Ligarius, raising himself resolutely upon his elbow, and taking Brutus by the hand, replied: "Yet still, Brutus, if you mean to do any thing worthy of yourself, I am well:" nor did he disappoint Brutus's opinion of him, for we find him afterwards in the list of the conspirators.

In the end of the year, Cæsar was called away in great haste into Spain, to oppose the attempts of Pompey's sons, who, by the credit of their father's name, were become masters again of all that province; and with the remains of the troops, which Labienus, Varus, and the other chiefs, who escaped, had gathered up from Afric, were once more in condition to try the fortune of the field with him: where the great danger to which he was exposed, from this last effort of a broken party, shews how desperate his case must have been, if Pompey himself, with an entire and veteran army, had first made choice of this country for the scene of the war.

Cicero all this while passed his time, with little satisfaction, at home, being disappointed of the ease and comfort which he expected from his new marriage: his children, as we may imagine, while their own mother was living, would not easily bear with a young mother-in-law in the house with them. The son especially, was pressing to get a particular appointment settled for his maintenance, and to have leave also to go to Spain, and make a campaign under Cæsar, whither his cousin Quintus was already gone. Cicero did not approve this project, and endeavoured by all means to dissuade him from it; representing to him, that it would naturally draw a just reproach upon them, for not thinking it enough to quit their former party, unless they fought against it too; and that he would not be pleased to see his cousin more regarded there than himself; and promising, withal, if he would consent to stay, to make him an ample and honourable allowance<sup>1</sup>. This diverted him from the thoughts of Spain, though not from the desire of removing from his father, and taking a separate house in the city, with a distinct family of his own: but Cicero thought it best to send him to Athens, in order to spend a few years in the study of philosophy and polite letters; and, to make the proposal agree-

<sup>1</sup> Plut. in Brut.

<sup>2</sup> De Hispania duo attuli, primum idem, quod tibi, me vereri vituperationem: non satis esse si hæc arma reliquissimus? etiam contraria? deinde fore ut angeretur, cum a tanto familiaritate et omni gratia visceretur. Velim magis liberalitate uti mea quam mea libertate. Ad Att. 12. 7.

A. Urb. 708 Cic. 62. — C. Jul. Cæsar Dict. 111. M. Æmilius Lepidus Mag. Equ.

able, offered him an appointment, that would enable him to live as splendidly as any of the Roman nobility, who then resided there, Bibulus, Acidinus, or Messala'. This scheme was accepted, and soon after executed; and young Cicero was sent to Athens, with two of his father's freedmen, L. Tullius Montanus, and Tullius Marciannus, as the intendants and counsellors of his general conduct, while the particular direction of his studies was left to the principal philosophers of the place; and, above all, to Cratippus, the chief of the peripatetic sect<sup>1</sup>.

In this uneasy state, both of his private and public life, he was oppressed by a new and most cruel affliction, the death of his beloved daughter Tullia; which happened soon after her divorce from Dolabella, whose manners and humour were entirely disagreeable to her. Cicero had long been deliberating with himself and his friends, whether Tullia should not first send the divorce; but a prudential regard to Dolabella's power, and interest with Cæsar, which was of use to him in these times, seems to have withheld him<sup>2</sup>. The case was the same with Dolabella; he was willing enough to part with Tullia, but did not care to break with Cicero, whose friendship was a credit to him, and whom gratitude obliged him to observe and reverence; since Cicero had twice defended and preserved him in capital causes<sup>3</sup>: so that it seems most probable, that the divorce was of an amicable kind, and executed at last by the consent of both sides: for it gave no apparent interruption to the friendship between Cicero and Dolabella, which they carried on with the same show of affection, and professions of respect toward

A. Urb. 708. Cic. 62.—C. Jul. Caesar Dict. III. M. Aemilius Lepidus. Mag. Equit.

Expected turn in her case put an end to her life, to the inaccessible grief of her father<sup>1</sup>.

We have no account of the issue of this birth, which writers confound with that which happened three years before, when she was delivered, at the end of seven months, of a puny male child: but whether it was from the first, or the second time of her lying in, it is evident that she left a son by Dolabella, who survived her, and whom Cicero mentions more than once, in his letters to Atticus, by the name of Lentulus<sup>2</sup>: desiring him to visit the child, and see a due care taken of him, and to assign him what number of servants he thought proper<sup>3</sup>.

Tullia was about two and thirty years old at the time of her death; and, by the few hints which are left of her character, appears to have been an excellent and admirable woman: she was most affectionately and piously observant of her father; and, to the usual graces of her sex, having added the more solid accomplishments of knowledge and polite letters, was qualified to be the companion, as well as the delight of his age; and was justly esteemed not only as one of the best, but the most learned of the Roman ladies. It is not strange, therefore, that the loss of such a daughter, in the prime of her life, and the most comfortless season of his own, should affect him with all that grief which the greatest calamity could imprint on a temper naturally timid and desponding.

Plutarch tells us, that the philosophers came from all parts to comfort him; but that can hardly be true, except of those who lived in Rome, or in his own family; for his first care was, to shun all company as much as he could, by removing to Atticus's house; where he lived chiefly in the library, endeavouring to relieve his mind, by turning over every book which he could meet with, on the subject of moderating grief<sup>4</sup>; but

<sup>1</sup> *Me Roma tenuit omnino Tullia mea partus: sed cum ea, quemadmodum spero, gentis firma sit, teneor tamen, dum a Dolabella procuratoribus exigam primam pensionem.* Ep. Fam. 6. 18.

<sup>2</sup> The father's names were Publius Cornelius Lentulus Dolabella: the two last being surnames, acquired, perhaps, by adoption, and distinguishing the different branches of the Cornelian family.

<sup>3</sup> *Velim aliquando, cum erit tuum commodum, Lentulum puerum vides, ei que de mancipiis, quas tibi videbitur, attribuas.* Ad Att. 12. 28.

*Quod Lentulum invise, valde gratum.* Ibid 30. Vid. etiam 18.

<sup>4</sup> N. B. Mr. Bayle declares himself surprised, to find Asconius Ped. so ill informed of the history of Tullia, as to tell us, that, after Piso's death, she was married to P. Lentulus, and died in child-bed at his house. In which short account there are contained, he says, two or three lies. But Plutarch confirms the same account; and the mistake will rest, at last, not on Asconius, but on Mr. Bayle himself, who did not reflect, from the authority of those ancients, that Lentulus was one of Dolabella's names, by which he was called indifferently, as well as by any of the rest. See Bayl. Diction. Artic. Tullia. not. k.

<sup>5</sup> *Me Mihi non defuisse tu testis ea, nihil enim de morore minucendo ab ullo scriptum est, quod ego non demul tue legerim.* Ad Att. 12. 14.

A. Urb. 700. Cir. 62.—C. Jul. *Cæsar* Dict. III. M. *Æmilius Lepidus*. *Mag. Equi*.

finding his residence here too public, and a greater resort to him than he could bear, he retired to Astura, one of his seats near Antium, a little island on the Latian shore, at the mouth of a river of the same name, covered with woods and groves, cut out into shady walks; a scene of all others, the fittest to indulge melancholy, and where he could give a free course to his grief. "Here," says he, "I live without the speech of man; every morning early I hide myself in the thickest of the wood, and never come out till the evening: next to yourself, nothing is so dear to me as this solitude: my whole conversation is with my books; yet that is sometimes interrupted by my tears, which I resist as well as I can, but am not yet able to do much."

Atticus urged him to quit this retirement, and divert himself with business, and the company of his friends; and put him gently in mind, that, by afflicting himself so immoderately, he would hurt his character, and give people a handle to censure his weakness: to which he makes the following answer:

"As to what you write, that you are afraid lest the excess of my grief should lessen my credit and authority, I do not know what men would have of me. Is it, that I should not grieve? that is impossible; or that I should not be oppressed with grief? who was ever less so? When I took refuge at your house, was any man ever denied access to me? or did any one ever come, who had reason to complain of me? I went from you to Astura, where those gay sparks, who find fault with me, are not able even to read so much as I have written: how well, is nothing to the purpose: yet it is of a kind which

A. Urb. 748. Cic. 62.—C. Jul. *Cæsar* Dict. III. M. *Æmilius Lepidus*. *Mag. Equit.*

will never part with my constancy and firmness, either of mind or speech<sup>1</sup>," &c.

All his other friends were very officious, likewise, in making their compliments of condolence, and administering arguments of comfort to him: among the rest, *Cæsar* himself, in the hurry of his affairs in Spain, wrote him a letter on the occasion, dated from *Hispalis*, the last of April<sup>2</sup>. *Brutus* wrote another, so friendly and affectionate, that it greatly moved him<sup>3</sup>: *Luccius*, also, one of the most esteemed writers of that age, sent him two; the first to condole, the second to expostulate with him for persevering to cherish an unmanly and useless grief<sup>4</sup>: but the following letter of *Ser. Sulpicius* is thought to be a masterpiece of the consolatory kind.

"SER. SULPICIUS TO M. T. CICERO.

"I WAS exceedingly concerned, as indeed I ought to be, to hear of the death of your daughter *Tullia*; which I looked upon as an affliction common to us both. If I had been with you, I would have made it my business to convince you what a real share I take in your grief. Though that kind of consolation is but wretched and lamentable, as it is to be performed by friends and relations, who are overwhelmed with grief, and cannot enter upon their task without tears, and seem to want comfort rather themselves, than to be in condition to administer it to others. I resolved, therefore, to write to you, in short, what occurred upon it to my own mind; not that I imagined, that the same things would not occur also to you, but that the force of your grief might possibly hinder your attention to them. What reason is there, then, to disturb yourself so immoderately on this melancholy occasion? Consider how fortune has already treated us; how it has deprived us of what ought to be as dear to us as children; our country, credit, dignity, honours. After so miserable a loss as this, what addition can it possibly make to our grief, to suffer one misfortune more? or how can a mind, after being exercised in such trials, not grow callous, and think every thing else of inferior value? But is it for your daughter's sake that you grieve? yet how often must you necessarily reflect, as I myself frequently do, that those cannot be said to be hardly dealt with, whose lot it has been, in these times, without suffering any affliction, to exchange life for death. For what is there,

<sup>1</sup> *Ibid.* 40.

<sup>2</sup> A *Cæsar* litteras accepi consolatorias, datas prid. Kal. Maii, *Hispali*. *Ibid.* 13. 20.

<sup>3</sup> *Bruti* litteras scriptas et prudenter et amice, multas tamen mihi lacrimas attulerant. *Ibid.* 13, 13.

<sup>4</sup> *Vid.* *Ep.* Fam. 5. 13, 14.

A 1 p. 701. C<sup>o</sup> 12—C. Jul. Cesar Dict. III M. *Emilius Lepidus*. *Meg. Egea*.

in our present circumstances, that could give her any great invitation to live? what business? what hopes? what prospect of comfort before her? was it to pass her days in the married state, with some young man of the first quality? (for you, I know, on the account of your dignity, might have chosen what son-in-law you pleased out of all our youth, to whose fidelity you might safely have trusted her :) was it then for the sake of bearing children, whom she might have had the pleasure to see flourishing afterwards, in the enjoyment of their paternal fortunes, and rising gradually to all the honours of the state, and using the liberty, to which they were born, in the protection of their friends and clients? but what is there of all this, which was not taken away, before it was even given to her? But it is an evil, you will say, to lose our children: it is so; yet it is much greater to suffer what we now endure. I cannot help mentioning one thing, which has given me no small comfort, and may help also, perhaps, to mitigate your grief. On my return from Asia, as I was sailing from *Egina* towards *Megara*, I began to contemplate the prospect of the countries around me: *Egina* was behind, *Megara* before me; *Piræus* on the right, *Corinth* on the left; all which towns, once famous and flourishing, now lie overturned, and buried in their ruins: upon this sight I could not but think presently within myself, alas! how do we poor mortals fret and vex ourselves, if any of our friends happen to die, or to be killed, whose life is yet so short, when the carcasses of so many noble cities lie here exposed before me in one view? Why wilt thou not then command thyself. Sorrow, and remember that thou art born a man! Be

A. Urb. 708. Cic. 62.—C. Jul. Caesar Dict. III. M. Æmilius Lepidus. Mag. Equit.

you are Cicero, one who has been used always to prescribe and give advice to others; nor imitate those paltry physicians, who pretend to cure other people's diseases, yet are not able to cure their own; but suggest rather to yourself the same lesson, which you would give in the same case. There is no grief so great which length of time will not alleviate: but it would be shameful in you to wait for that time, and not to prevent it by your wisdom: besides, if there be any sense in the dead, such was her love and piety to you, that she must be concerned to see how much you afflict yourself. Give this therefore to the deceased; give it to your friends; give it to your country; that it may have the benefit of your assistance and advice, whenever there shall be occasion. Lastly, since fortune has now made it necessary to us to accommodate ourselves to our present situation, do not give any one a handle to think that you are not so much bewailing your daughter, as the state of the times, and the victory of certain persons. I am ashamed to write any more, lest I should seem to distrust your prudence; and will add, therefore, but one thing farther, and conclude. We have sometimes seen you bear prosperity nobly, with great honour and applause to yourself; let us now see that you can bear adversity with the same moderation, and without thinking it a greater burthen than you ought to do: lest, in the number of all your other virtues, this one, at last, be thought to be wanting. As to myself, when I understand that your mind is grown more calm and composed, I will send you word how all things go on here, and what is the state of the province. Adieu<sup>1</sup>."

His answer to Sulpicius was the same in effect with what he gave to all his friends; that his case was different from all the examples, which he had been collecting for his own imitation, of men who had borne the loss of children with firmness; since they lived in times when their dignity in the state was able, in great measure, to compensate their misfortune: "But for me," says he, "after I had lost all those ornaments which you enumerate, and which I had acquired with the utmost pains, I have now lost the only comfort that was left to me. In this ruin of the Republic, my thoughts were not diverted by serving either my friends or my country; I had no inclination to the Forum; could not bear the sight of the senate; took myself, as the case in truth was, to have lost all the fruit of my industry and fortunes: yet, when I reflected, that all this was common to you, and to many others, as well as to myself, and was forcing myself therefore to bear it tolerably, I had still, in

<sup>1</sup> Ep. Fam. 1. 5.

A. Urb. 700. C. 62 — C. Jul. Cesar Dict. III. M. *Flaminius Lepidus*. Mag. Equ.

Tullia, somewhat always to recur to, in which I could acquiesce; and in whose sweet conversation I could drop all my cares and troubles: but by this last cruel wound, all the rest which seemed to be healed, are broken out again afresh. as I then could relieve the uneasiness which the Republic gave me, by what I found at home; so I cannot now, in the affliction which I feel at home, find any remedy abroad; but am driven, as well from my house as the Forum; since neither my house can ease my public grief, nor the public my domestic one."

The remonstrances of his friends had but little effect upon him; all the relief that he found was from reading and writing, in which he continually employed himself; and did what no man had ever done before him, draw up a treatise of consolation for himself; from which he professes to have received his greatest comfort; though he wrote it, he owns, at a time when, in the opinion of the philosophers, he was not so wise as he ought to have been: "But I did violence," says he, "to my nature; to make the greatness of my sorrow give place to the greatness of the medicine: though I acted against the advice of Chrysippus, who dissuades the application of any remedy to the first assaults of grief." In this work he chiefly imitated Crantor, the academic, who had left a celebrated piece on the same subject; yet he inserted also whatever pleased him, from any other author who had written upon it; illustrating his precepts, all the way, by examples from their own history, of the most eminent Romans of both sexes, who had borne the same misfortune with a remarkable constancy. This book was

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

suggested the project of a more effectual consecration, by building a temple to her, and erecting her into a sort of deity. It was an opinion of the philosophers, which he himself constantly favoured, and, in his present circumstances, particularly indulged, that the souls of men, were of heavenly extraction, and that the pure and chaste, at their dissolution from the body, returned to the fountain from which they were derived, to subsist eternally in the fruition and participation of the Divine Nature; whilst the impure and corrupt were left to grovel below in the dirt and darkness of these inferior regions. He declares, therefore, that as the wisdom of the ancients had consecrated and deified many excellent persons of both sexes, whose temples were then remaining; the progeny of Cadmus, of Amphitryon, of Tyndarus; so he would perform the same honour to Tullia; who, if any creature had ever deserved it, was of all the most worthy of it. "I will do it, therefore," says he, "and consecrate thee, thou best and most learned of women, now admitted into the assembly of the gods, to the regard and veneration of all mortals<sup>1</sup>."

In his letters to Atticus we find the strongest expressions of his resolution and impatience to see this design executed: "I will have a temple," says he; "it is not possible to divert me from it—if it be not finished this summer, I shall not think myself clear of guilt—I am more religiously bound to the execution of it, than any man ever was to the performance of his vow<sup>2</sup>." He seems to have designed a fabric of great magnificence; for he had settled the plan with his architect, and contracted for pillars of Chian marble, with a sculptor of that isle; where both the work and the materials were the most esteemed of any in Greece<sup>3</sup>. One reason that determined him to a temple rather than a sepulchre, was, that in the one

<sup>1</sup> Non enim omnibus illi sapientes arbitrati sunt eundem cursum in cælum patere. Nam vitiis et sceleribus contaminatos deprimi in tenebras, atque in cæno jacere dederunt; castos autem animos, puros, integros, incorruptos, bonis etiam studiis atque artibus expolitos leni quodam ac facili lapsu ad deos, id est, ad naturam sui similem pervolare. *Fragm. Consolat. ex Lactantio.*

Cum vero et mares et fœminas complures ex hominibus in deorum numero esse videamus et eorum in urbibus atque agris augustissima templa veneremur, assentiamur eorum sapientiæ, quorum ingeniis et inventis omnem vitam legibus et institutis excolamus constitutamque habemus. Quod si ullum unquam animal consecrandum fuit, illud profecto fuit. Si Cadmi, aut Amphitryonis progenies, aut Tyndari in cælum tollenda fama fuit, huic idem honos certe dicandus est. Quod quidem faciam; teque omnium optimam doctissimamque, approbantibus diis ipsis, in eorum certu locatam, id opinionem omnium mortalium consecrabo. *Ibid.—Vid. Tusc. Disp. l. 1. c. 11. 12. 30, 31.*

<sup>2</sup> Fanum fieri volo, neque mihi crui potest. [*Ad Att. 12. 36.*] Redeo ad Fanum, nisi hac æstate absolutum erit—scelere me liberatum non putabo. [*Ibid. 41.*] Ego me majore religione, quam quisquam fuit ullius voti, obstrictum puto. *Ibid. 43.*

<sup>3</sup> De Fano illo dico—neque de genere dubito, placet enim mihi Chusii. [*Ibid. 18.*] Tu tamen cum Apella Chio confice de columnis. [*Ibid. 19.*] *Vid. Plin. Hist. N. 36. 5, 6.*

A. Urb. 706. Cic. 62 —C. Jul. Caesar Dict. III. M. *Æmilius Lepidus*. Mag. Equ.

he was not limited in the expense, whereas, in the other, he was confined by law to a certain sum, which he could not exceed without the forfeiture of the same sum also to the public: yet this, as he tells us, was not the chief motive, but a resolution, that he had taken, of making a proper apotheosis<sup>1</sup>. The only difficulty was, to find a place that suited his purpose: his first thought was to purchase certain gardens cross the Tiber, which, lying near the city, and in the public view, were the most likely to draw a resort of votaries to his new temple. He presses Atticus, therefore, to buy them for him, at any rate, without regard to his circumstances; since he would sell, or mortgage, or be content to live on little, rather than be disappointed. Groves and remote places, he says, were proper only for deities of an established name and religion; but for the deification of mortals, public and open situations were necessary, to strike the eyes, and attract the notice of the people. But he found so many obstructions in all his attempts of purchasing, that, to save trouble and expense, Atticus advised him to build, at last, in one of his own villas; to which he seemed inclined, lest the summer should pass without doing any thing: yet he was irresolute still, which of his villas he should choose, and discouraged by reflecting on the change of masters to which all private estates were exposed, in a succession of ages, which might defeat the end of his building, and destroy the honour of his temple, by converting it to other uses, or suffering it to fall into ruins<sup>2</sup>.

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

But after all his eagerness and solicitude about this temple, it was never actually built by him; since we find no mention of it in any of the ancient writers: which could not have been omitted, if a fabric so memorable had ever been erected<sup>1</sup>. It is likely that, as his grief evaporated, and his mind grew more calm, he began to consider his project more philosophically, and to perceive the vanity of expecting any lasting glory from such monuments, which time itself, in the course of a few ages, must necessarily destroy: it is certain, at least, that, as he made no step towards building it this summer, so Cæsar's death, which happened before the next, gave fresh obstruction to it, by the hurry of affairs, in which it engaged him; and though he had not still wholly dropped the thoughts of it, but continued to make a preparation, and to set apart a fund for it<sup>2</sup>, yet, in the short and busy scene of life, which remained to him, he never had leisure enough to carry it into execution.

He was now grown so fond of solitude, that all company was become uneasy to him; and when his friend Philippus, the father-in-law of Octavius, happened to come to his villa, in that neighbourhood, he was not a little disturbed at it, from the apprehension of being teased with his visits; and he tells Atticus, with some pleasure, that he had called upon him only to pay a short compliment, and went back again to Rome, without giving him any trouble<sup>3</sup>. His wife Publilia also wrote him word, that her mother and brother intended to wait upon him, and that she would come along with them, if he would give her leave, which she begged in the most earnest and submissive terms:—but his answer was, that he was more indisposed than ever to receive company, and would not have

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possit. Equidem jam nihil egeo vectigalibus, et parvo contentus esse possum. Cogito interdum trans Tiberim hortos aliquos parare, et quidem ob hanc causam maxime; nihil enim video quod tam celebre esse posset. [Ad Att. 12. 19.] de hortis, etiam atque etiam te rogo. [Ibid. 22.] ut sæpe locuti sumus, commutationes dominorum reformido. [Ibid. 36.] celebritatem requiro. Ibid. 37.

<sup>1</sup> Cælius Rhodiginus tells us, that in the time of Sixtus the 4th, there was found near Rome, on the Appian way, over against the tomb of Cicero, the body of a woman, whose hair was dressed up in network of gold, and which, from the inscription, was thought to be the body of Tullia. It was entire, and so well preserved by spices, as to have suffered no injury from time; yet, when it was removed into the city, it mouldered away in three days. But this was only the hasty conjecture of some learned of that time, which, for want of authority to support it, soon vanished of itself; for no inscription was ever produced to confirm it, nor has it been mentioned, that I know of, by any other author, that there was any sepulchre of Cicero on the Appian way. Vid. Cæli. Rhod. Lection. antiq. l. 3. c. 24.

<sup>2</sup> Quod ex istis fructuosis rebus receptum est, id ego ad illud fanum sepositum putabam. Ad Att. 15. 15.

<sup>3</sup> Mihi adhuc nihil prius fuit hac solitudine, quam vereor, ne Philippus tollat: heri enim vesperi venerat. Ibid. 12. 16.

Quod eram veritus, non obturbavit Philippus: nam ut heri me salutavit, statim Romam profectus est. Ibid. 18.

A. C. 47. 706, C. c. 62.—C. Jul. Caesar Dict. III. M. Æmilius Lepidus. Mag. Equi

them come; and lest they should come without leave, he desires Atticus to watch their motions, and give him notice, that he might contrive to avoid them<sup>1</sup>. A denial so peremptory confirms what Plutarch says, that his wife was now in disgrace with him, on account of her carriage towards his daughter, and for seeming to rejoice at her death; a crime which, in the tenderness of his affliction appeared to him so heinous, that he could not bear the thoughts of seeing her any more; and though it was inconvenient to him to part with her fortune at this time, yet he resolved to send her a divorce, as a proper sacrifice to the honour of Tullia<sup>2</sup>.

Brutus, likewise, about this time, took a resolution of putting away his wife Claudia, for the sake of taking Porcia, Bibulus's widow, and his uncle Cato's daughter. But he was much censured for this step; since Claudia had no stain upon her character, was nobly born, the sister of Appius Claudius, and nearly allied to Pompey; so that his mother, Servilia, though Cato's sister, seems to have been averse to the divorce, and strongly in the interests of Claudia, against her niece. Cicero's advice upon it was, that if Brutus was resolved upon the thing, he should do it out of hand, as the best way to put an end to people's talking, by shewing that it was not done out of levity or complaisance to the times, but to take the daughter of Cato, whose name was now highly popular<sup>3</sup>: which Brutus soon after complied with, and made Porcia his wife.

There happened another accident this summer, which raised a great alarm in the city; the surprising death of Marcellus, whom Caesar had lately pardoned. He had left Mitylene, and

A. Urb. 708. Cic. 62.—C. Jul. Cesar Dict. III. M. *Æmilius* Lepidus. Mag. Equit.

“SERV. SULPICIVS TO M. T. CICERO.

“THOUGH I know that the news, which I am going to tell you, will not be agreeable, yet since chance and nature govern the lives of us all, I thought it my duty to acquaint you with the fact, in what manner soever it happened. On the twenty-second of May I came by sea from Epidaurus to Piræus, to meet my colleague Marcellus, and for the sake of his company, spent that day with him there. The next day, when I took my leave of him, with design to go from Athens into Boeotia, to finish the remaining part of my jurisdiction, he, as he told me, intended to set sail, at the same time, towards Italy. The day following, about four in the morning, when I was preparing to set out from Athens, his friend, P. Postumius, came to let me know, that Marcellus was stabbed by his companion P. Magius Cilo, after supper, and had received two wounds, the one in his stomach, the other in his head near the ear, but he was in hopes still that he might live; that Magius presently killed himself; and that Marcellus sent him to inform me of the case, and to desire that I would bring some physicians to him. I got some together immediately, and went away with them before break of day: but when I was come near Piræus, Acidinus's boy met me with a note from his master, in which it was signified, that Marcellus died a little before day. Thus a great man was murdered by a base villain; and he, whom his very enemies had spared on the account of his dignity, received his death from the hands of a friend. I went forward, however, to his tent, where I found two of his freedmen, and a few of his slaves; all the rest, they said, were fled, being in a terrible fright, on the account of their master's murder. I was forced to carry his body with me into the city, in the same litter in which I came, and by my own servants, where I provided a funeral for him, as splendid as the condition of Athens would allow. I could not prevail with the Athenians to grant a place of burial for him within the city: they said, that it was forbidden by their religion, and had never been indulged to any man: but they readily granted what was the most desirable in the next place, to bury him in any of their public schools that I pleased. I chose a place, therefore, the noblest in the universe, the School of the Academy, where I burnt him; and have since given orders that the Athenians should provide a marble monument for him in the same place. Thus I have faithfully performed to him both when living and dead, every duty which our partnership

A. Urb. 708, C. 62.—C. Jul. Cesar Dict. III. M. Æmilius Lepidus. Mag. Equ.

in office, and my particular relation to him required. Adieu. The thirtieth of May, from Athens'."

M. Marcellus was the head of a family, which, for a succession of many ages, had made the first figure in Rome, and was himself adorned with all the virtues that could qualify him to sustain that dignity which he derived from his noble ancestors. He had formed himself in a particular manner for the bar, where he soon acquired great fame; and, of all the orators of his time, seems to have approached the nearest to Cicero himself, in the character of a complete speaker. His manner of speaking was elegant, strong, and copious; with a sweetness of voice, and propriety of action, that added a grace and lustre to every thing that he said. He was a constant admirer and imitator of Cicero; of the same principles in peace, and on the same side in war: so that Cicero laments his absence, as the loss of a companion and partner in their common studies and labours of life. Of all the magistrates, he was the fiercest opposer of Caesar's power, and the most active to reduce it; his high spirit, and the ancient glory of his house, made him impatient under the thought of receiving a master; and when the battle of Pharsalia seemed at last to have imposed one upon them, he retired to Mitylene, the usual resort of men of learning; there to spend the rest of his days in a studious retreat; remote from arms, and the hurry of war: and determined neither to seek nor to accept any grace from the conqueror. Here Brutus paid him a visit, and found him, as he gave an account to Cicero, as perfectly easy and happy, under all the misery of the times, from the consciousness of his integrity, as

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

Magius, who killed him, was of a family which had borne some of the public offices, and had himself been quæstor<sup>1</sup>; and, having attached himself to the fortunes of Marcellus, and followed him through the wars and his exile, was now returning with him to Italy. Sulpicius gives no hint of any cause that induced him to commit this horrid act: which, by the immediate death of Magius, could never be clearly known. Cicero's conjecture was, that Magius, oppressed with debts, and apprehending some trouble on that score at his return, had been urging Marcellus, who was his sponsor for some part of them, to furnish him with money to pay the whole; and, by receiving a denial, was provoked to the madness of killing his patron<sup>2</sup>. Others assign a different reason, as the rage of jealousy, and the impatience of seeing others more favoured by Marcellus than himself<sup>3</sup>.

As soon as the news reached Rome, it raised a general consternation; and from the suspicious nature of the times, all people's thoughts were presently turned on Cæsar, as if he were privately the contriver of it: and from the wretched fate of so illustrious a citizen, every man began to think himself in danger: Cicero was greatly shocked at it, and seemed to consider it as the prelude of some greater evil to ensue: and Atticus, signifying his concern upon it, advises him to take a more particular care of himself, as being the only consular senator left, who stood exposed to any envy<sup>4</sup>. But Cæsar's friends soon cleared him of all suspicion; as, indeed, the fact itself did, when the circumstances came to be known, and fixed the whole guilt of it on the fury of Magius.

There appeared, at this time, a bold impostor, who began to make a great noise and figure in Italy, by assuming the name, and pretending to be the grandson of Caius Marius; but apprehending that Cæsar would soon put an end to his pretensions, and treat him as he deserved, he sent a pathetic letter to Cicero, by some young fellows of his company, to justify his claim and descent, and to implore his protection against the enemies of his family; conjuring him, by their relation, by the poem which he had formerly written in praise of Marius, by the eloquence of L. Crassus, his mother's father, whom he had likewise celebrated, that he would undertake the defence of his

<sup>1</sup> Vid. Pigh. Annal. A. U. 691.

<sup>2</sup> Quanquam nihil habeo quod dubitem, nisi ipsi Magio quæ fuerit causa amentire. Pro quo quidem etiam sponsor Sunii factus est. Nimirum id fuit. Solvendo enim non erat. Credo cum a Marcello petiisse aliquid, et illum, ut erat, constantius respondisse. Ad Att. 13. 10.

<sup>3</sup> Indignatus aliquem amicorum ab eo sibi præferri. Val. Max. 9. 11.

<sup>4</sup> Minime miror te et graviter ferro de Marcello, et plura vereri periculi genera. Quis enim hoc timeret, quod neque acciderat antea, nec videbatur natura ferre, ut accidero posset. Omnia igitur metuenda, &c. Ad Att. 13. 10.

A. U. C. 703. Ch. 62.—C. Jul. Cesar Dict. III. M. *Emilius Lepidus* Mag.

came: Cicero answered him very gravely, that he could not want a patron, when his kinsman, Cæsar, so excellent and so generous a man, was now the master of all; yet that he should be ready to favour him<sup>1</sup>. But Cæsar, at his knowledge of him to be a cheat, banished him out of Italy; instead of being what he pretended to be, he was found only a farrier, whose true name was Herophilus<sup>2</sup>.

Ariarathes, the brother and presumptive heir of Antiochus, king of Cappadocia, came to Rome this year. Cicero had a particular friendship with his family, and consul, had, by a decree of the senate, conferred upon his father the honour of the regal title, he thought proper to send a servant to meet him on the road, and invite him to his house; but he was already engaged by Sestius, whose office it was to receive foreign princes and ambassadors at the expense, which Cicero was not displeased with in the present state of his domestic affairs: "He comes," says he, "to purchase some kingdom of Cæsar, for he has not at present a foot of land of his own<sup>3</sup>."

Cicero's whole time, during his solitude, was employed in reading and writing: this was the business both of his days and nights: it is incredible, he says, how much he wrote, and how little he slept; and if he had not fallen into that way of spending his time, he should not have known what to do with himself<sup>4</sup>. His studies were chiefly philosophical, which he had been fond of from his youth, and, after a long intermission, now resumed with great ardour; having taken a resolution to study, in their own houses, the great men of the

— A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

— wanted every help to restrain and correct them. “The calamity of the city,” says he, “made this task necessary to me: since in the confusion of civil arms, I could neither defend it after my old way; nor, when it was impossible for me to be idle, could I find any thing better, on which to employ myself. My citizens, therefore, will pardon, or rather thank me, that when the government was fallen into the power of a single person, I neither wholly hid, nor afflicted myself unnecessarily, nor acted in such a manner as to seem angry at the man, or the times; nor yet flattered or admired the fortune of another, so as to be displeased with my own. For I had learnt from Plato and philosophy, that these turns and revolutions of states are natural: sometimes into the hands of a few, sometimes of the many, sometimes of one: as this was the case of our own Republic, so, when I was deprived of my former post in it, I betook myself to these studies, in order to relieve my mind from the sense of our common miseries, and to serve my country, at the same time, in the best manner that I was able: for my books supplied the place of my votes in the senate; and of my speeches to the people; and I took up philosophy, as a substitute for my management of the state<sup>1</sup>.”

He now published, therefore, in the way of dialogue, a book, which he called Hortensius, in honour of his deceased friend; where, in a debate of learning, he did, what he had often done in contests of the bar, undertake the defence of philosophy against Hortensius, to whom he assigned the part of arraigning it<sup>2</sup>. It was the reading of this book, long since unfortunately lost, which first inflamed St. Austin, as he himself somewhere declares, to the study of the Christian philosophy; and if it had yielded no other fruit, yet happy it was to the world that it once subsisted, to be the instrument of raising up so illustrious a convert and champion to the church of Christ<sup>3</sup>.

He drew up also, about this time, in four books, a particular account and defence of the philosophy of the Academy, the sect which he himself followed; being, as he says, of all others, the most consistent with itself, and the least arrogant, as well

<sup>1</sup> Divin. 2. 2.—de Fin. 1. 3.

<sup>2</sup> Cohortati sumus, ut maxime potuimus, ad philosophiæ studium eo libro, qui est inscriptus, Hortensius. De Divin. 2. 1.

Nos autem universæ philosophiæ vituperatoribus respondimus in Hortensio. Tusc. Disp. 2. 2.

<sup>3</sup> It is certain that all the Latin Fathers made great use of Cicero's writings, and especially Jerome, who was not so grateful as Austin in acknowledging the benefit; for, having conceived some scruples on that score in his declining age, he endeavoured to discourage his disciples from reading them at all; and declared, that he had not taken either Cicero or Maro, or any heathen writer into his hands for above fifteen years; for which his adversary Rufinus rallies him very severely. Vid. Hieron. Op. Tom. 4. par. 2. p. 414. it. par. 1. p. 288. Edict. Benedict.

A. Urb. 700. Cic. 62.—C. Jul. Caesar Dict. III. M. *Æmilius Lepidus*. Mag. Eque

as most elegant'. He had before published a work, on the same subject, in two books: the one called *Catulus*, the other *Lucullus*; but, considering that the argument was not suited to the characters of the speakers, who were not particularly remarkable for any study of that sort, he was thinking to change them to Cato and Brutus; when Atticus, happening to signify to him that Varro had expressed a desire to be inserted in some of his writings, he presently reformed his scheme, and enlarged it into four books, which he addressed to Varro; taking upon himself the part of Philo, of defending the principles of the Academy, and assigning to Varro that of Antiochus, of opposing and confuting them, and introducing Atticus as the moderator of the dispute. He finished the whole with great accuracy; so as to make it a present worthy of Varro; and if he was not deceived, he says, by partiality and self-love, too common in such cases, there was nothing on the subject equal to it, even among the Greeks'. All these four books, excepting part of the first, are now lost; whilst the second book of the first edition, which he took some pains to suppress, remains still entire, under its original title of *Lucullus*.

He published, likewise, this year, one of the noblest of his works, and on the noblest subject in philosophy, his treatise, called *De Finibus*, or of the chief good and ill of man; written in Aristotle's manner'; in which he explained, with great elegance and perspicuity, the several opinions of all the ancient sects on that most important question. It is there inquired, he tells us, what is the chief end to which all the views of life

A. Urb. 708. Cic. 62.—C. Jul. Caesar Dict. III. M. Æmilius Lepidus. Mag. Equit.

The Stoics, asserted by Cato, and opposed by Cicero, in a friendly debate, upon their meeting accidentally in Lucullus's library. The fifth contains the opinions of the Old Academy, or the Peripatetics, explained by Piso, in a third dialogue, supposed to be held at Athens, in the presence of Cicero, his brother Quintus, cousin Lucius, and Atticus. The critics have observed some impropriety in this last book, in making Piso refer to the other two dialogues, of which he had no share, and could not be presumed to have any knowledge<sup>1</sup>. But any inaccuracy of that kind be really found in this, or any other of his works, it may reasonably be excused by that multiplicity of affairs, which scarce allowed him time to write, much less to revise what he wrote: and, in dialogues of length, composed by piece-meal, and in the short intervals of leisure, it cannot seem strange, that he should sometimes forget his artificial, to resume his proper character; and enter inadvertently into a part, which he had assigned to another. He addressed this work to Brutus, in return for a present of the same kind, which Brutus had sent to him a little before, *a treatise upon virtue*<sup>2</sup>.

Not long after he had finished this work, he published another of equal gravity, called his Tusculan Disputations, in five books also, upon as many different questions in philosophy, the most important and useful to the happiness of human life. The first teaches us how to condemn the terrors of death, and to look upon it as a blessing, rather than an evil; the second, to support pain and affliction with a manly fortitude; the third, to appease all our complaints and uneasiness under the accidents of life; the fourth, to moderate all our other passions; the fifth, to evince the sufficiency of virtue to make man happy. It was his custom, in the opportunities of his leisure, to take some friends with him into the country; where, instead of amusing themselves with idle sports or feasts, their diversions were wholly speculative: tending to improve the mind, and enlarge the understanding. In this manner he now spent five days at his Tusculan Villa, in discussing with his friends the several questions just mentioned: for, after employing the mornings in declaiming and rhetorical exercises, they used to retire, in the afternoon, into a gallery called the Academy, which he had built for the purpose of philosophical conferences: where, after the manner of the Greeks, he held a school, as they called it, and invited the company to call for any subject, that they desired to hear explained; which being proposed, accord-

<sup>1</sup> Vid. Præfat. Davis. in Lib. de Fin.

<sup>2</sup> De Fin. 1. 3.

A. C. 703. C. 692—C. J. d. C. 691. D. 1. III. M. Fabius Lepidus. M. E. 1.

ingly, by some of the audience, became immediately the argument of that day's debate. These five conferences, or dialogues, he collected afterwards into writing, in the very words and manner in which they really passed, and published them under the title of his *Tusculan Disputations*, from the name of the Villa in which they were held<sup>1</sup>.

He wrote also a little piece, in the way of a Funeral Eulogium, in praise of Porcia: the sister of Cato, the wife of Domitius Ahenobarbus, Caesar's mortal enemy: which shews how little he was still disposed to court the times. Varro and Lollius attempted the same subject; and Cicero desires Atticus to send him their compositions: but all the three are now lost: though Cicero took the pains to revise and correct his, and sent copies of it afterwards to Domitius the son, and Brutus the nephew of that Porcia<sup>2</sup>.

Caesar continued all this while in Spain, pursuing the sons of Pompey, and providing for the future peace and settlement of the province; whence he paid Cicero the compliment of sending him an account of his success with his own hand. Hirtius also gave him early intelligence of the defeat and flight of the two brothers; which was not disagreeable to him: for though he was not much concerned about the event of the war, and expected no good from it on either side, yet the opinion which he had conceived of the fierceness and violence of the young Pompeys, especially of the elder of them, Cneus, engaged his wishes rather for Caesar. In a letter to Atticus, "Hirtius," says he, "wrote me word, that Sextus Pompey had withdrawn himself from Corduba into the high mountains of

A. Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

has always thought that we laughed at him: I am afraid, that he should take it into his head to repay our jokes, in his rustic manner, with the sword<sup>1</sup>."

Young Quintus Cicero, who made the campaign along with Cæsar, thinking to please his company, and to make his fortune the better amongst them, began to play over his old game, and to abuse his uncle again in all places. Cicero, in his account of it to Atticus, says, "there is nothing new, but that Hirtius has been quarrelling in my defence, with our nephew Quintus, who takes all occasions of saying every thing against me, and especially at public feasts; and when he has done with me, falls next upon his father; he is thought to say nothing so credible, as that we are both irreconcilable to Cæsar: that Cæsar should trust neither of us; and even beware of me: this would be terrible, did I not see that our king is persuaded that I have no spirit left<sup>2</sup>."

Atticus was always endeavouring to moderate Cicero's impatience under the present government, and persuading him to comply more cheerfully with the times, nor to reject the friendship of Cæsar, which was so forwardly offered to him; and upon his frequent complaints of the slavery and indignity of his present condition, he took occasion to observe, what Cicero could not but own to be true; that if to pay a particular court and observance to a man, was the mark of slavery, those in power seemed to be slaves rather to him, than he to them<sup>3</sup>. With the same view he was now pressing him, among his other works, to think of something to be addressed to Cæsar; but Cicero had no appetite to this task; he saw how difficult it would be to perform it, without lessening his character, and descending to flattery; yet being urged to it also by other friends, he drew up a letter, which was communicated to Hirtius and Balbus, for their judgment upon it, whether it was proper to be sent to Cæsar? The subject seems to have been some advice, about restoring the peace and liberty of the Republic, and to dissuade him from the Parthian war, which he intended for his next expedition, till he had finished the more necessary work of settling the state of things at home.

<sup>1</sup> Peream, nisi sollicitus sum? ac malo veterem ac clementem dominum habere, quam novum et crudelem experiri. Scis, Cæsus quam sit fatuus; scis, quomodo crudelitatem virtutem putet; scis, quam se semper a nobis derisum putet. Vercor, ne nos rustico gladio velit ἀντιμυκτηρίσαι. Ep. Fam. 15. 19.

<sup>2</sup> Novi sane nihil, nisi Hirtium cum Quinto acerrime pro me litigasse; omnibus cum locis facere, maximequo in conviviis; cum multa de me, tum redire ad patrem: nihil autem ab eo tam ἀξιοπίστως dici, quam alienissimos nos esse a Cæsare; fidem nobis habendam non esse: me vero cavendum: φοβερὸν ἦν, nisi viderem scire Regem, me animi nihil habere. Ad Att. 13. 37.

<sup>3</sup> Et si mehercule, ut tu intelligis, magis mihi isti serviunt, si observare servire est. Ibid. 49.



A. Urb. 706. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

quire it. On an occasion of such dignity, words can never be wanting; but what can I do on my subject? Yet I had hatched, as it were, out of the block, some faint resemblance of an image; but because there were some things hinted in it, little better than what we see done every day, it was disliked: I am not at all sorry for it; for had the letter gone, take my word for it, I should have had cause to repent. For do you not see that very scholar of Aristotle, a youth of the greatest talents and the greatest modesty, after he came to be called a king, grown proud, cruel, extravagant? Do you imagine that this man, ranked in the processions of the gods, and enshrined in the same temple with Romulus, will be pleased with the moderate style of my letters? It is better that he be disgusted at my not writing, than at what I write: in a word, let him do what he pleases; for that problem, which I once proposed to you, and thought so difficult, in what way I should manage him, is over with me; and in truth, I now wish more to feel the effect of his resentment, be it what it will, than I was before afraid of it<sup>1</sup>. “I beg of you, therefore,” says he in another letter, “let us have no more of this, but shew ourselves at least half free, by our silence and retreat<sup>2</sup>.”

From this little fact, one cannot help reflecting on the fatal effects of arbitrary power upon the studies and compositions of men of genius, and on the restraint that it necessarily lays on the free course of good sense and truth among men. It had not scarce shewn itself in Rome, when we see one of the greatest men, as well as the greatest wits, which that Republic ever bred, embarrassed in the choice of a subject to write upon; and, for fear of offending, choosing not to write at all; and it was the same power, which, from this beginning, gradually debased the purity both of the Roman wit and language, from the perfection of elegance, to which Cicero had advanced them, to that state of rudeness and barbarism, which we find in the productions of the lower empire.

This was the present state of things between Cæsar and Cicero; all the marks of kindness on Cæsar's part, of coldness and reserve on Cicero's. Cæsar was determined never to part with his power, and took the more pains, for that reason, to make Cicero easy under it; he seems, indeed, to have been somewhat afraid of him; not of his engaging in any attempt against his life; but lest, by his insinuations, his railleries, and his authority, he should excite others to some act of violence: but what he more especially desired and wanted,

<sup>1</sup> Ibid. 13. 28.

<sup>2</sup> Obsecro, abjiciamus ista; et semiliberi saltem simus; quod assequemur et tacendo, latendo. Ibid. 31.



Urb. 708. Cic. 62.—C. Jul. Cæsar Dict. III. M. Æmilius Lepidus. Mag. Equit.

account of his debauches and extravagances in Italy, and resolved to shew himself the sole master, nor suffer any contradiction to his will, sent peremptory orders to L. Plancus, prætor, to require the immediate payment of Antony, or to levy the money upon his sureties, according to the tenor of their bond. This was the cause of his quick return, to prevent that disgrace from falling upon him, and find some means of complying with Cæsar's commands: it provoked him, however, to such a degree, that, in the height of his resentment, he is said to have entered into a design of taking away Cæsar's life; of which Cæsar himself complained openly in the Senate<sup>1</sup>.

The war being ended in Spain, by the death of Cnæus Pompey and the flight of Sextus, Cæsar finished his answer to Cicero's Cato, in two books, which he sent immediately to Rome, in order to be published. This gave Cicero, at last, the argument of a letter to him, to return thanks for the great civility with which he had treated him in that piece, and to pay his compliments likewise, in his turn, upon the elegance of the composition. This letter was communicated again to Balbus and Oppius, who declared themselves extremely pleased with it, and forwarded it directly to Cæsar. In Cicero's account of it to Atticus, "I forgot," says he, "to send you a copy of what I wrote to Cæsar: not for the reason, which you suspect, that I was ashamed to let you see how well I could utter: for, in truth, I wrote to him no otherwise than as if I was writing to an equal; for I really have a good opinion of his two books, as I told you, when we were together; and wrote, therefore, both without flattering him, and yet so, that he will read nothing, I believe, with more pleasure<sup>2</sup>."

A. Urb. 708. Cic. 62. Coss.—Q. Fabius Maximus. C. Trebonius.

CÆSAR returned to Rome about the end of September: when divesting himself of the consulship, he conferred it on Q. Fabius Maximus and C. Trebonius, for the three re-

<sup>1</sup> Appellatus es de pecunia, quam pro domo, pro hortis, pro sectione debebas.—et ad te et ad prædes tuos milites misit. [Phil. 2. 29.] idcirco urbem terrore nocturno, Italiam ultorum dierum metu perturbasti—ne L. Plancus prædes tuos venderet [Ibid. 31.] quin et ipsis temporibus domi Cæsaris percussor, ab isto missus, deprehensus dicebatur esse in sica. De quo Cæsar in Senatu, aperte in te invehens, questus est. Ibid. 29.

<sup>2</sup> Conscripsi de his libris epistolam Cæsari, quæ deferretur ad Dolabellam: sed ejus exemplum misi ad Balbum et Oppium, scripsique ad eos, ut tum deferri ad Dolabellam haberent meas litteras, si ipsi exemplum probassent, ita mihi rescripserunt, nihil unquam legissem melius. Ad Att. 13. 50.

Ad Cæsarem quam misi epistolam, ejus exemplum fugit me tum tibi mittere; nec id est quod suspicaris, ut me pueret tui—nec micherucle scripsi aliter, ac si πρὸς τὸν νεώτερον scriberem. Bene enim existimo de illis libris, ut tibi coram. Itaque τίπτε et ἀκολακεύτως, et tamen sic, ut nihil eum existimem lecturum libentius. Ibid. 51.

A. Urb. 708. Cic. 62. Cons. — Q. Fabius Maximus. C. Trebonius.

maining months of the year<sup>1</sup>. His first care, after his arrival, was to entertain the city with the most splendid triumph which Rome had ever seen; but the people, instead of admiring and applauding it, as he expected, were sullen and silent; considering it, as it really was, a triumph over themselves; grieved by the loss of their liberty, and the destruction of the best and noblest families of the Republic. They had before given the same proof of their discontent at the Circensian games, where Cæsar's statue, by a decree of the senate, was carried in the procession, along with those of the gods: but they gave none of their usual acclamations to the immortal deities, as they passed, lest they should be thought to give them to Cæsar. Atticus sent an account of it to Cicero, who says, in answer to him, "Your letter was agreeable, though the show was so sad:—the people, however, behaved badly, who would not clap even the goddess Victory, for the sake of so bad a neighbour<sup>2</sup>." Cæsar, however, to make amends for the unpopularity of his triumph, and to put the people in good humour, entertained the whole city, soon after, with something more substantial than shows—two public dinners with plenty of the most esteemed and costly wines of Cere and Falernum<sup>3</sup>.

Soon after Cæsar's triumph, the consul Fabius, one of his lieutenants in Spain, was allowed to triumph too, for the reduction of some parts of that province, which had revolted; but the magnificence of Cæsar made Fabius's triumph appear contemptible; for his models of the conquered towns, and

A. Urb. 708. Cic. 62. Coes.—Q. Fabius Maximus. C. Trebonius.

was necessary<sup>1</sup>. But whatever it was, as his friends long been urging the same advice, and persuading him to return to public affairs, he consented, at last, to quit his retirement and come to the city: where, soon after Cæsar's arrival, he had an opportunity of employing his authority and eloquence, where he exerted them always with the greatest pleasure, in the service and defence of an old friend, Deiotarus.

This prince had already been deprived, by Cæsar, of part of his dominions, for his adherence to Pompey, and was now in danger of losing the rest, from an accusation preferred against him by his grandson, of a design pretended to have been formed by him against Cæsar's life, when Cæsar was detained at his house, four years before, on his return from Egypt. The charge was groundless and ridiculous; but, under his present disgrace, any charge was sufficient to ruin him; and Cæsar's countenancing it, so far as to receive and support it, shewed a strong prejudice against the king, and that he wanted only a pretence for stripping him of all that remained to him. Brutus likewise interested himself very warmly in the same cause; and when he went to meet Cæsar on his return from Spain, made an oration to him, at Nicæa, in favour of Deiotarus, with a freedom which startled Cæsar, and gave him occasion to reflect on what he had not perceived so clearly before, the invincible fierceness and vehemence of Brutus's temper<sup>2</sup>.

The present trial was held in Cæsar's house, where Cicero so manifestly exposed the malice of the accuser, and the innocence of the accused, that Cæsar, being determined not to acquit, yet ashamed to condemn him, chose the expedient of reserving his sentence to farther deliberation, till he could go in person into the east, and inform himself of the whole affair upon the spot. Cicero says, that Deiotarus, whether present nor absent, could ever obtain any favour or immunity from Cæsar: and that as often as he pleaded for him, which he was always ready to do, he could never persuade Cæsar to think any thing reasonable that he asked for him<sup>3</sup>. He sent a copy of his oration to the king; and, at Dolabella's

<sup>1</sup> *Ecco tibi, orat Lepidus, ut veniam. Opinor augures nil habere ad Templum effand. Ad Att. 13. 42.*

<sup>2</sup> *Lepidus ad me heri—litteras misit. Rogat magnopere ut sim Kalend. in Senatu; me ibi et Cæsari vehementer gratum esse facturum. Ibid. 47.*

<sup>3</sup> *Ibid. 14. 1.* The Jesuits, Catrou and Ronille, take Nicæa, where Brutus made this speech, to be the capital of Bithynia, Deiotarus's kingdom: but it was a city on the Lidian coast still called Nice, where Brutus met Cæsar on his last return from Spain, and as he was not able to prevail for Deiotarus, Cicero was forced to undertake the cause soon as Cæsar came to Rome. Vid. Hist. Tom. 17. p. 91. not.

*Quis enim cuiquam inimicior, quam Deiotaro Cæsar?—a quo nec præsens, nec absens Rex Deiotarus quidquam æqui boni impetravit—ille nunquam. semper enim tanti affui Deiotaro, quicquam sibi, quod nos pro illo postularem, æquum dixit mihi. Philip. 2. 37.*

A. U. C. 702. C. 62. Com.—Q. Fabius Maximus. C. Trebonius.

request, gave another likewise to him: excusing it as a trifling performance, and hardly worth transcribing: "but I had a mind," says he, "to make a slight present to my old friend and host, of coarse stuff indeed, yet such as his presents usually are to me."

Some little time after this trial, Cæsar, to shew his confidence in Cicero, invited himself to spend a day with him at his house in the country, and chose the third day of the *Semania* for his visit: a season always dedicated to mirth and feasting amongst friends and relations<sup>2</sup>. Cicero gives *Atticus* the following account of the entertainment, and how the day passed between them:—"O this guest," says he, "whom I so much dreaded! yet I had no reason to repent of him: for he was well pleased with his reception. When he came the evening before, on the eighteenth, to my neighbour *Philip's* house was so crowded with soldiers, that there was scarce a room left empty for Cæsar to sup in: there were about two thousand of them, which gave me no small pain for the next day: but *Barba Cassius* relieved me; for he assigned me a guard, and made the rest encamp in the field: so that my house was clear. On the nineteenth, he staid at *Philip's* till one in the afternoon, but saw nobody; was settling accounts, I guess, with *Balbus*; then took a walk on the shore; bathed after two; heard the verses on *Mamurra*<sup>3</sup>, at which he never changed countenance; was rubbed, anointed, sat down to table. Having taken a vomit just before, he ate and drank freely, and was very cheerful<sup>4</sup>: the supper was good and well served.

A. Urb. 708. Cic. 62. Cons.—Q. Fabius Maximus. C. Trebonius.

‘ But our discourse at table, as we ate,  
For taste and seasoning still excell’d our meat !’

Besides Cæsar’s table, his friends were plentifully provided in three other rooms; nor was there any thing wanting to freedmen of lower rank, and his slaves: but the better sort were elegantly treated. In a word, I acquitted myself like a guest; yet, he is not a guest to whom one would say, at parting, call upon me again, as you return: once is enough: we said not a word on business, but many on points of literature: in short, he was delighted with his entertainment, and passed the day agreeably. He talked of spending one day at Puteoli; rather at Baiæ. Thus you see the manner of my receiving him; somewhat troublesome, indeed, but not uneasy to me. I will stay here a little longer, and then to Tusculum. As he passed by Dolabella’s villa, his troops marched close by his side, on the right and left; which was done no where else. I had this from Nicias<sup>1</sup>.”

On the last of December, when the consul Trebonius was abroad, his colleague, Q. Fabius, died suddenly; and his death being declared in the morning, C. Caninius Rebilus was named by Cæsar to the vacancy at one in the afternoon, whose office was to continue only through the remaining part of that day. This wanton profanation of the sovereign dignity of the empire, raised a general indignation in the city; and a consulate so ridiculous gave birth to much raillery, and many jokes, which are transmitted to us by the ancients<sup>2</sup>; of which, Cicero, who was the chief author of them, gives us the following specimen, in his own account of the fact.

“CICERO TO CURIUS.

I no longer either advise or desire you to come home to us, but want to fly some whither myself, where I may hear neither the name nor the acts of these sons of Pelops. It is incredible how meanly I think of myself, for being present at these transactions. You had surely an early foresight of what was coming on, when you ran away from this place: for though it be vexa-

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more plentifully; and by emptying themselves presently after it, prevented any hurt from repletion. Thus Vitellius, who was a famous glutton, is said to have preserved his life by constant vomits, while he destroyed all his companions, who did not use the same caution. [Sueton. 12. Dio, 65. 734.] And the practice was thought so effectual for strengthening the constitution, that it was the constant regimen of all the Athletæ, or professed wrestlers, trained for the public shows, in order to make them more robust. So that Cæsar’s vomiting before dinner was a sort of compliment to Cicero, as it intimated a resolution to pass the day cheerfully, and to eat and drink freely with him.

<sup>1</sup> This is a citation from Lucilius, of an hexameter verse, with part of a second, which is not distinguished from the text, in the editions of Cicero’s Letters.

*Sed bene cucto et condito sermone bono, et si quæris libenter.*

<sup>2</sup> Ad Att. 13. 52.

<sup>3</sup> Macrob. Saturn. 2, 3. Dio, p. 236.



A Lib. 700. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

himself so particularly, when he passed by his villa. Dolabella was sensibly touched with this affront, and came full of indignation to the senate; where, not daring to vent his spleen

Cæsar, he entertained the assembly with a severe speech against Antony, which drew on many warm and angry words between them; till Cæsar, to end the dispute, promised to sign the consulship to Dolabella, before he went to the Parthian war: but Antony protested, that, by his authority as augur, he would disturb that election, whenever it should be attempted<sup>1</sup>; and declared, without any scruple, that the ground of his quarrel with Dolabella, was for having caught him in an attempt to debauch his wife Antonia, the daughter of his uncle: though that was thought to be a calumny, contrived to colour his divorce with her, and his late marriage with Fulvia, the widow of Clodius<sup>2</sup>.

Cæsar was now in the height of all his glory, and dressed, as Florus says, in all his trappings, like a victim destined to sacrifice<sup>3</sup>. He had received from the senate the most extravagant honours, both human and divine, which flattery could invent; a temple, altar, priest; his image carried in procession with the gods; his statue among the kings; one of the months called after his name, and a perpetual dictatorship<sup>4</sup>. Cicero endeavoured to restrain the excess of this complaisance, within the bounds of reason<sup>5</sup>, but in vain; since Cæsar was more forward to receive, than they to give; and, out of the gaiety of his pride, and to try, as it were, to what length their adulation would reach, when he was actually possessed of every thing which carried with it any real power, was not content still without a title, which could add nothing but envy, and popular odium, and wanted to be called a king. Plutarch thinks it a strange instance of folly in the people, to endure with patience, all the real effects of kingly government, yet declare such an abhorrence to the name. But the folly was not so strange in the people as it was in Cæsar: it is natural to the multitude to be governed by names, rather than things, and the constant art of parties to keep up that prejudice; but it was unpardonable, in so great a man as Cæsar, to lay so much stress on a title, which, so far from being an honour to him, seemed to be a diminution rather of that superior dignity which he already enjoyed.

Among the other compliments that were paid to him, there

<sup>1</sup> Cum Cæsar ostendisset, se, priusquam proficereetur, Dolabellam Consularem esse futurum—hic bonus Augur eo se sacerdotio preeditum esse dixit, ut comitia auspicio vel impedire vel vitare posset, idque se facturum asseveravit. Philip. 2. 32.

<sup>2</sup> Frequentissimo Senatu—hanc tibi esse cum Dolabella causam odii dicere ausus es, quod ab eo sorori et uxori tue stuprum oblatum esse comperisses. Philip. 2. 38.

<sup>3</sup> Quæ omnia, velut insule, in destinatum morti victimam congeriebantur. 1. 4. 2. 92.

<sup>4</sup> Flor. ib. Sueton. J. Cæs. 76.

<sup>5</sup> Plut. in Cæs.

A. U. C. 709. Ch. 63. Consul Julius Cæsar V. M. ANTONIUS.

was a new fraternity of Luperci instituted to his honour called by his name, of which Antony was the head. Quintus Cicero was one of this society, with the consent of his father, though to the dissatisfaction of his uncle, who considered it not only as a low piece of flattery, but an indication for a young man of family to be engaged in ceremonies so modest, of running naked and frantic about the streets. A festival was held about the middle of February; and Cæsar, in his triumphal robe, seated himself in the rostra, in a golden chair, to see the diversion of the running; where, in the midst of their sport, the consul Antony, at the head of his crew, made him the offer of a regal diadem, and attempted to put it on his head; at the sight of which a general shout issued from the whole Forum; till, upon Cæsar's slight refusal of it, the people testified their joy, by an universal shout. Antony, however, ordered it to be entered in the public act, that, by the command of the people, he had offered the kingly name and power to Cæsar, and that Cæsar would accept it.

While this affair of the kingly title amused and alarmed the city, two of the tribunes, Marullus and Cæsælius, were particularly active in discouraging every step and attempt towards it; they took off the diadem which certain persons had privately put upon Cæsar's statue, in the rostra, and committed those to prison who were suspected to have done it, and publicly punished others for daring to salute him in the streets by the name of king, declaring, that Cæsar himself refused and abhorred that title. This provoked Cæsar, who was of a violent temper and command, to the following measures.

. Urb. 709. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

appointed Dolabella to take his own place, as consul current year; named A. Hirtius and C. Pansa for the next; and D. Brutus and Cn. Plancus for the following year: but before his departure, he resolved to have the title conferred upon him by the senate, who were too feeble of his power, and obsequious to his will, to deny him anything: and to make it the more palatable, at the same time to the people, he caused a report to be industriously propagated through the city, of ancient prophecies found in sibylline books, that the Parthians could not be conquered by a king; on the strength of which, Cotta, one of the tribunes of those books, was to move the senate at their next sitting, to decree the title of king to him<sup>1</sup>. Cicero, speaking afterwards of this design, says—It was expected that some sacred testimonies would be produced, to shew that he, whom he had felt in reality to be a king, should be called also by that name, if we would be safe; but let us make a bargain with the keepers of those oracles, that they bring any thing out of them rather than a king, which neither the gods nor men will ever endure again at Rome<sup>2</sup>.

One would naturally have expected, after all the fatigues and dangers through which Cæsar had made his way to empire, that he would have chosen to spend the remainder of a declining life in the quiet enjoyment of all the honours and pleasures which absolute power, and a command of the world, could bestow: but, in the midst of all this glory, he was a stranger still to ease: he saw the people generally disaffected to him, and impatient under his government; and though amused a while with the splendour of his shows and triumphs, yet regretting severely, in cool blood, the price that they had paid for them; the loss of their liberty, with the lives of the best and noblest of their fellow-citizens. This expedition therefore against the Parthians, seems to have been a political pretext for removing himself from the murmurs of the city, and leaving to his ministers the exercise of an invidious power, and the task of taming the spirits of the populace; whilst he, by employing himself in gathering fresh laurels in the east, and extending the bounds and retrieving the honour of the empire against its most dreaded enemy, might gradually reconcile

<sup>1</sup> Etiamne Consules et Tribunos plebis in biennium, quos ille voluit? Ad Att. 14. 6.

<sup>2</sup> Proximo autem Senatu, L. Cottam quindecimvirum sententiam dicturum; ut quoniam in libris fatalibus contineretur, Parthos non nisi a Rege posse vinci, Cæsar Rex appellaretur. Sueton. c. 79. Dio, p. 247.

<sup>3</sup> Quorum interpres nuper falsa quædam hominum fama dicturus in Senatu putabatur, eum, quem re vera Regem habebamus, appellandum quoque esse Regem, si salvi esse vellemus—cum antistitibus agamus, ut quidvis potius ex illis libris, quam Regem proferrant, quem Romæ posthac nec Dii nec homines esse patientur. De Divin. 2. 54.



A. Urb. 709. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

Academy, yet, from a certain pride and gravity of temper, affected the severity of the stoic, and to imitate his uncle, to which he was wholly unequal: for he was of a mild, gentle, and compassionate disposition; averse to every thing violent, and was often forced, by the tenderness of his nature, to confute the rigour of his principles. While his mother lived in the greatest familiarity with Cæsar, he was constantly attached to the opposite party, and firm to the interests of liberty: for the sake of which he followed Pompey, whom he loved, and acted on that side with a distinguished zeal. At the battle of Pharsalia, Cæsar gave particular orders to find and preserve Brutus; being desirous to draw him from the pursuit of a cause that was likely to prove fatal to him, so that when Cato, with the rest of the chiefs, went to renew the war in Afric, he was induced, by Cæsar's generosity, and his mother's prayers, to lay down his arms, and return to Italy. Cæsar endeavoured to oblige him by all the honours which his power could bestow: but the indignity of receiving from a master, what he ought to have received from a free people, shocked him much more than any honours could oblige; and the ruin, in which he saw his friends involved, by Cæsar's usurped dominion, gave him a disgust, which no favours could compensate. He observed, therefore, a distance and reserve through Cæsar's reign; aspired to no share of his confidence, or part in his councils; and, by the uncourtly vehemence with which he defended the rights of King Deiotarus, convinced Cæsar that he could never be obliged, where he did not find himself free. He cultivated, all the while, the strictest friendship with Cicero, whose principles, he knew, were utterly averse to the measures of the times, and in whose free conversation he used to mingle his own complaints, on the unhappy state of the Republic, and the wretched hands into which it was fallen: till, animated by these conferences, and confirmed by the general discontent of all the honest, he formed the bold design of freeing his country by the destruction of Cæsar. He had publicly defended Milo's act of killing Clodius, by a maxim which he maintained to be universally true, that those who lived in defiance of the laws, and cannot be brought to a trial, ought to be taken off without a trial. The case was applicable to Cæsar in a much higher degree than to Clodius, whose power had placed him above the reach of the law, and left no way of punishing him, but by an assassination. This, therefore, was Brutus's motive; and Antony did him the justice to say, that he was the only one of the conspiracy who entered into it out of principle; that the rest from

A. Urb. 709. C. 3. Cons. — C. Julius Caesar V. M. Antonius.

private malice, rose up against the man. he alone against the tyrant<sup>1</sup>.

C. Cassius was descended likewise from a family not less honourable or ancient, nor less zealous for the public liberty, than Brutus's: whose ancestor, Sp. Cassius, after a triumph and three consulships, is said to have been condemned, and put to death by his own father, for aiming at a dominion. He shewed a remarkable instance, when a boy, of his high spirit and love of liberty: for he gave Sylla's son, Faustus, a blow on the ear, for bragging, among his school-fellows, of his father's greatness and absolute power; and when Pompey called the boys before him, to give an account of their quarrel, he declared, in his presence, that if Faustus should dare to repeat the words, he would repeat the blow. He was quartered to Crassus, in the Parthian war, where he greatly signalized both his courage and skill: and if Crassus had followed his advice, would have preserved the whole army; but, after their miserable defeat, he made good his retreat into Syria, with the remains of the broken legions; and when the Parthians, flushed with success, pursued him thither, soon after, and blocked him up in Antioch, he preserved that city and province from falling into their hands; and, watching his opportunity, gained a considerable victory over them, with the destruction of their general. In the civil war, after the battle of Pharsalia, he sailed with seventy ships to the coast of Asia, to raise fresh forces in that country, and renew the war against Caesar: but, as the historians tell us, happening to meet with

A. Urb. 709. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

opposite shore before he was aware, so that, seeing his project blasted, and Cæsar secured in a country, where all people were declaring for him, he thought it best to make his own peace too, by going over to him with his fleet. He married Tertia, the sister of Brutus, and though differing in temper and philosophy, was strictly united with him in friendship and politics, and the constant partner of all his counsels. He was brave, witty, learned; yet passionate, fierce, and cruel: so that Brutus was the more amiable friend—he the more dangerous enemy. In his latter years he deserted the stoics, and became a convert to Epicurus, whose doctrine he thought more natural and reasonable; constantly maintaining, that the pleasure which their master recommended, was to be found only in the habitual practice of justice and virtue. While he professed himself, therefore, an Epicurean, he lived like a stoic; was moderate in pleasures, temperate in diet, and a water-drinker through life. He attached himself very early to the observance of Cicero, as all the young nobles did, who had any thing great or laudable in view: this friendship was confirmed by a conformity of their sentiments in the civil war, and in Cæsar's reign; during which, several letters passed between them, written with a freedom and familiarity, which is to be found only in the most intimate correspondence. In these letters, though Cicero rallies his Epicureanism, and change of principles, yet he allows him to have acted always with the greatest honour and integrity; and pleasantly says, that he should begin to think that sect to have more nerves than he imagined, since Cassius had embraced it. The old writers assign several frivolous reasons of disgust, as the motives of his killing Cæsar: that Cæsar took a number of lions from him, which he had provided for a public show; that he would not give him the consulship; that he gave Brutus the more honourable prætorship, in preference to him. But we need not look farther for the true motive, than to his temper and principles: for his nature was singularly impetuous and violent, impatient of contradiction, and much more of subjection, and passionately fond of glory, virtue, liberty: it was from these qualities that Cæsar apprehended his danger; and, when admonished to beware of Antony and Dolabella, used to say, that it was not the gay, the curled, and the jovial, whom he had cause to fear, but the thoughtful, the pale, and the lean; meaning Brutus and Cassius<sup>1</sup>.

<sup>1</sup> C. Cassius in ea familia natus, quæ non modo dominatum, sed ne potentiam quidem cujusquam ferre potuit. [Philip. 2. 11.] Quem ubi primum magistratu abijt, damnatumque constat. Sunt qui patrem actorem ejus supplicij ferant. Eum, cognita domi causa, verberasse ac necasse, peculiumque filii Cereri consecravisse.

A Lib 709. Cic. 63. Cass. C. Julius Cæsar V. M. Antonius.

The next in authority to Brutus and Cassius, though very different from them in character, were Decimus Brutus and C. Trebonius: they had both been constantly devoted to Cæsar, and were singularly favoured, advanced, and entrusted by him in all his wars: so that, when Cæsar marched first into Spain, he left them to command the siege of Marseilles—Brutus by sea, Trebonius by land; in which they acquitted themselves with the greatest courage and ability, and reduced that strong place to the necessity of surrendering at discretion. Decimus was of the same family with his namesake, Marcus; and Cæsar, as if jealous of a name that inspired an aversion to kings, was particularly solicitous to gain them both to his interest, and seemed to have succeeded to his wish in Decimus; who forwardly embraced his friendship, and accepted all his favours; being named by him to the command of Cisalpine Gaul, and to the consulship of the following year, and the second heir even of his estate, in failure of the first. He seems to have had no peculiar character of virtue, or patriotism, nor any correspondence with Cicero, before the act of killing Cæsar; so that people, instead of expecting it from him, were surprised at his doing it; yet he was brave, generous, magnificent, and lived with great splendour, in the enjoyment of an immense fortune; for he kept a numerous band of gladiators at his own expense, for the diversion of the city; and, after Cæsar's death, spent about four hundred thousand pounds of his own money, in maintaining an army against Antony<sup>1</sup>.

Trebonius had no family to boast of, but was wholly a new

A. Urb. 709. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

m, and the creature of Cæsar's power, who produced him, rough all the honours of the state, to his late consulship of three months. Antony calls him the son of a buffoon; but Cicero, of a splendid knight. He was a man of parts, prudence, integrity, humanity; was conversant also in the politer arts, and had a peculiar turn to wit and humour; for, after Cæsar's death, he published a volume of Cicero's sayings, which he had taken the pains to collect; upon which Cicero compliments him, for having explained them with great elegance, and given them a fresh force and beauty, by his humorous manner of introducing them. As the historians have not suggested any reason that should move either him or Decimus to the resolution of killing a man, to whom they were infinitely obliged, so we may reasonably impute it, as Cicero does, to a greatness of soul, and superior love of their country, which made them prefer the liberty of Rome to the friendship of any man; and choose rather to be the destroyers, than the partners of a tyranny<sup>1</sup>.

The rest of the conspirators were partly young men of noble blood, eager to revenge the ruin of their fortunes and families: partly men obscure, and unknown to the public<sup>2</sup>; yet, whose valour and courage had been approved by Brutus and Cassius. It was agreed by them all, in council, to execute their design in the senate, which was summoned to meet on the Ides, or fifteenth of March: they knew, that the senate would applaud when done, and even assist, if there was occasion, in the doing it<sup>3</sup>; and there was a circumstance which peculiarly encouraged them, and seemed to be even ominous; that it happened to be Pompey's senate-house, in which their attempt was to be made, and where Cæsar would, consequently, fall at the foot of Pompey's statue, as a just sacrifice to the manes of that great man<sup>4</sup>. They took it also for granted, that the city would be generally on their side; yet, for their greater security, Brutus gave orders to arm his gladiators that morning, as for some public show, that they might be ready, on the first

<sup>1</sup> Scuræ filium appellat Antonius. Quasi vero ignotis nobis fuerit splendidus Eques Romanus Trebonii pater. [Philip. 13. 10.] Trebonii—consilium, ingenium, humanitatem, innocentiam, magnitudinem animi in patria liberanda quis ignorat? [Philip. 11. 4.] Ver iste, quem mihi misisti, quantam habet declarationem amoris tui? primum, quod id facetum videtur quicquid ego dixi, quod aliis fortasse non item: deinde, quod illa et faceta sunt, sive sic fiunt narrante te venustissima. Quin etiam antequam ad me venisset, risus omnis pæne consumitur, &c. [Ep. Fam. 15. 21. it. 12. 16.] Qui libertatem populi Romani unius amicitiae præposuit, depulsorque dominatus, quam particeps esse voluit. Philip. 2. 11.

<sup>2</sup> In tot hominibus, partim obscuris, partim adolescentibus, &c. Philip. 2. 11.

<sup>3</sup> ὡς τῶν βουλευτῶν, εἰ καὶ μὴ προμάθοιεν, προθύμως, ὅτε ἴδοιεν τὸ ἔργον, περιληφθέντων. App. 499.

<sup>4</sup> Postquam Senatus Idibus Martiis in Pompeii curiam edictus est, facile tempus et cum protulerunt. Sueton. 80.

A. U. C. 709. C. c. 63. Cæsar.—C. Julius Cæsar V. M. Antonius

notice, to secure the avenues of the senate, and defend them from any sudden violence; and Pompey's theatre, which adjoined to his senate-house, being the properest place for the exercise of the gladiators, would cover all suspicion that might otherwise arise from them. The only deliberation that perplexed them, and on which they were much divided, was, whether they should not kill Antony also, and Lepidus, together with Cæsar; especially Antony, the more ambitious of the two, and the more likely to create fresh danger to the commonwealth. Cassius, with a majority of the company, was warmly for killing him; but the two Brutuses as warmly opposed, and finally overruled it; they alleged, that to shed more blood than was necessary, would disgrace their cause, and draw upon them an imputation of cruelty: and of acting not as patriots, but as the partisans of Pompey; not so much to free the city, as to revenge themselves on their enemies, and get the dominion of it into their hands. But what weighed with them the most, was a vain persuasion, that Antony would be tractable, and easily reconciled, as soon as the affair was over: but this lenity proved their ruin; and, by leaving their work imperfect, defeated all the benefit of it; as we find Cicero afterwards often reproaching them in his letters<sup>1</sup>.

Many prodigies are mentioned by the historians to have given warning of Cæsar's death<sup>2</sup>: which, having been forged by some, and credulously received by others, were copied, as usual, by all, to strike the imagination of their readers, and raise an awful attention to an event, in which the gods were supposed to be interested. Cicero has related one of the most

A. Urb. 709. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

These facts, though ridiculed by Cicero, were publicly affirmed and believed at the time, and seem to have raised a general humour through the city, of some secret danger that threatened Cæsar's life; so that his friends, being alarmed at it, were endeavouring to instil the same apprehension into Cæsar himself: and had succeeded so far, as to shake his resolution of going that day to the senate, when it was actually assembled, by his summons, in Pompey's senate-house; till D. Brutus, by rallying those fears as unmanly and unworthy of him, and alleging, that his absence would be interpreted as an affront to the assembly, drew him out against his will, to meet his destined fate<sup>1</sup>.

In the morning of the fatal day, M. Brutus and C. Cassius appeared, according to custom, in the Forum, sitting in their prætorian tribunals, to hear and determine causes; where, though they had daggers under their gowns, they sat with the same calmness, as if they had nothing upon their minds; till the news of Cæsar's coming out to the senate called them away to the performance of their part in the tragical act, which they executed, at last, with such resolution, that, through the eagerness of stabbing Cæsar, they wounded even one another<sup>2</sup>.

Thus fell Cæsar, on the celebrated Ides of March, after he had advanced himself to a height of power, which no conqueror had ever attained before him; though, to raise the mighty fabric, he had made more desolation in the world, than any man, perhaps, who ever lived in it. He used to say, that his conquests in Gaul had cost about a million and two hundred thousand lives<sup>3</sup>; and if we add the civil wars to the account, they could not cost the Republic much less, in the more valuable blood of its best citizens: yet when, through a perpetual course of faction, violence, rapine, slaughter, he had made his way at last to empire, he did not enjoy the quiet possession of it above five months<sup>4</sup>.

He was endowed with every great and noble quality that

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entrails so, as to make them correspond with the circumstances of the sacrificer, and the admonition which they intended to give. [De Divin. ib.] But this was laughed at by the naturalists as wholly unphilosophical, who thought it absurd to imagine, that the Deity could either annihilate or create; either reduce any thing to nothing, or form any thing out of nothing. What seems the most probable, is, that if the facts really happened, they were contrived by Cæsar's friends, and the heart conveyed away by some artifice, to give them a better pretence of enforcing their admonitions, and putting Cæsar upon his guard against dangers, which they really apprehended, from quite different reasons, than the pretended denunciations of the gods.

<sup>1</sup> Plut. in J. Cæs.

<sup>2</sup> Ib. in Brut. App. 2. 505.

<sup>3</sup> Undecies centena et nonaginta duo hominum millia occisa præliis ab eo—quod ita esse confensus est ipse, bellorum civilium stragem non prodendo. Plin. Hist. 7. 25.

<sup>4</sup> Neque illi tanto viro—plusquam quinque mensium principalis quies contigit. Vell. Pat. 2. 56.



A. Urb. 709. Cic. 63. Cons.—C. Julius Cæsar V. M. Antonius.

one of the first citizens of Rome; but, disdaining the condition of a subject, he could never rest till he had made himself a monarch. In acting this last part, his usual prudence seemed to fail him, as if the height, to which he was mounted, had turned his head, and made him giddy; for, by a vain ostentation of his power, he destroyed the stability of it; and, as men shorten life by living too fast, so, by an intemperance of reigning, he brought his reign to a violent end<sup>1</sup>.

It was a common question after his death, and proposed as a problem by Livy, whether it was of service to the Republic that he had ever been born<sup>2</sup>. The question did not turn on the simple merit of his acts, for that would bear no dispute, but on the accidental effects of them; their producing the settlement under Augustus, and the benefits of that government, which was the consequence of his tyranny. Suetonius, who treats the characters of the Cæsars with that freedom, which the happy reigns in which he lived indulged, upon balancing the exact sum of the virtues and vices, declares him, on the whole, to have been justly killed<sup>3</sup>: which appears to have been the general sense of the best, the wisest, and the most disinterested in Rome, at the time when the fact was committed.

The only question which seemed to admit any dispute was, whether it ought to have been committed by those who were the leaders in it<sup>4</sup>: some of whom owed their lives to Cæsar, and others had been loaded by him with honours to a degree that helped to increase the popular odium; particularly D. Brutus, who was the most cherished by him of them all, and

<sup>1</sup> De Cæsare et ipse ita judico—illum omnium fere Oratorum latine loqui elegantissime—et id—multis litteris, et us quidem reconditis et exquisitis, summoque studio ac diligentia est consecutus.—[Brut. 370.] C. vero Cæsar si fore tantum vacasset, non minus ex nostra contra Ciceronem nominaretur, tanta in eo vis est, id acumen, ea constantia, ut illum eodem animo dixisse, quo bellavit, appareat. [Quintil. x. 1.] C. Cæsar, in libris, quos ad M. Ciceronem de analogia conscripsit.—[A. Gell. 19. 8.] Quin etiam in maxime occupationibus cum ad te ipsum, inquit, de ratione latine loquendi accuratissime scripserit. [Brut. 370. vid. it. Sueton. 56.] In Cæsare hæc sunt, vitia, elementaque nature—accedit, quod mirifice ingenuis excellentibus, quale tuum est, delectatum—eodem fonte se hausturum intelligit laudes suas, e quo sit leviter aspersa. [Ep. Fam. 6. 6.] τῆς θεῆς μεγίστης ἑστ' Ἰγνα τυραννίδα. [Ad Att. 7. 11.] Ipse autem in ore semper grecos versus de Phœnissis habebat —

*Nam si violandum est jus, regnandi gratia  
Violandum est. ulus rebus pietatem colas.*

[Offic. 3. 21.]

Cato dixit, C. Cæsarem ad evertendam Rempublicam sobriū accersisse. [Quintil. 1. 8. 2.] Abinentiam neque in imperiis neque in magistratibus præstitit—in Gallia sine temploque Deum donis referta expilavit—urbes diruit, cupius ob prædam quam delectum—evidentissimis rapinis ac sacrilegiis opera bellorum civilium—sustinuit. Sueton. c. 54. vid. it. Dio, p. 208.

<sup>2</sup> Vid. Senec. Natur. Quæst. l. 5. 18. p. 766.

<sup>3</sup> Magnæ tamen cetera facta, dictaque ejus, ut et abusus dominationis et jure ejus reprehenduntur. Sueton. c. 76.

<sup>4</sup> Disputat de M. Bruto solet, an debuerit accipere a D. Julio vitam, cum occidendū eum judicaret. Senec. de Benef. l. 2. 20.

A. U. C. 709. C. M. 63. Com. — C. Julius Cesar V. M. Antonius

left by his will, the second heir of his estate<sup>1</sup>: for, of Brutuses, it was not Marcus, as it is commonly is but Decimus, who was the favourite, and whose part conspiracy surprised people the most<sup>2</sup>. But this stance served only for a different handle to the parties, for aggravating either their crime or their Caesar's friends charged them with base ingratitude, to their benefactor, and abusing the power which he had to the destruction of the giver. The other side gave a contrary turn to it, extolled the greater virtue of the men being diverted, by private considerations, from doing public benefit; Cicero takes it always in this view, that the Republic was the more indebted to them, for turning the common good to the friendship of any man soever; that, as to the kindness of giving them their was the kindness only of a robber, who had first done the greater wrong, by usurping the power to take it; there had been any stain of ingratitude in the act, they never have acquired so much glory by it; and they wondered, indeed, at some of them, for doing it, rather ever imagined that they would have done it: yet he thought them so much the more, for being regardless of favour they might shew their regard to their country<sup>3</sup>.

Some of Cesar's friends, particularly Pansa and advised him always to keep a standing guard of troops, for the defence of his person; alleging that acquired by arms must necessarily be maintained by a

A. Urb. 709. Cic. 63. Coss.—C. Julius Cæsar V. M. Antonius.

in government together: whereas Cæsar, by dismissing the one, yet retaining the other, committed a dangerous solecism in politics<sup>1</sup>: for he strengthened the popular odium, and consequently his own danger, while he weakened his defence.

He made several good laws during his administration, all tending to enforce the public discipline and extend the penalties of former laws.—The most considerable, as well as the most useful, of them was, that no prætor should hold any office more than one year, nor a consul more than two<sup>2</sup>.

This was a regulation that had been often wished for, as Livy says, in the best of times, and what one of the ablest statesmen of the old Republic had declared to be its chief security, not to suffer great and arbitrary commands to be of long duration, but to limit them at least in time, if it was not convenient to limit them in power<sup>3</sup>: Cæsar knew, by experience, that the prolongation of these extraordinary commands, and the habit of ruling kingdoms, was the readiest way, not only to inspire a contempt of the laws, but to give a man the power to subvert them; and he hoped, therefore, by this law, to prevent any other man from doing what he himself had done, and to secure his own possession from the attempts of future invaders.

## SECTION IX.

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

CICERO was present at the death of Cæsar in the senate; where he had the pleasure, he tells us, to see the tyrant perish as he deserved<sup>4</sup>. By this accident, he was freed at once from all subjection to a superior, and all the uneasiness and indignity of managing a power, which every moment could oppress him. He was now, without competition, the first citizen in Rome; the first in that credit and authority both with the senate and people, which illustrious merit and services will necessarily give in a free city. The conspirators considered him as such, and reckoned upon him as their sure friend: for they had no sooner finished their work, than Brutus, lifting

<sup>1</sup> Vid. Sir H. Savile's Dissertat. de Militia Rom. at the end of his translation of Tacitus.

<sup>2</sup> Philip. 1. 8. Sueton. J. Cæs. 42, 43.

<sup>3</sup> *Quæ lex melior, utilior, optima etiam Repub. sæpius flagitata, quam ne Prætoris provincie plus quam annum, neve plus quam biennium consulares obtinerentur?* Philip. 1. 8.

*Mamercus Æmilius*—*maximam autem, ait, ejus custodiam esse, si magna imperia æterna non essent, et temporis modus imponeretur, quibus juris imponi non posset.* Liv. 1. 4. 24.

<sup>4</sup> *Quid mihi attulerit ista domini mutatio, præter letitiam quam oculis cepi, justo interitu Tyranni?* Ad Att. 14. 14.

A. U. C. 705. L. C. 66. Cons.—M. Antonius P. Cornelius Dolabella

up his bloody dagger, called out upon him by name, to congratulate with him on the recovery of their liberty<sup>1</sup>: and when they all ran out presently after, into the Forum, with their daggers in their hands, proclaiming liberty to the city, they proclaimed, at the same time, the name of Cicero; in hope to recommend the justice of their act by the credit of his approbation<sup>2</sup>.

This gave Antony a pretence to charge him afterwards, in public, with being privy to the conspiracy, and the principal adviser of it<sup>3</sup>: but it is certain that he was not at all acquainted with it: for though he had the strictest friendship with the chief actors, and they the greatest confidence in him, yet his age, character, and dignity, rendered him wholly unfit to bear a part in an attempt of that nature, and to embark himself in an affair so desperate, with a number of men, who, excepting a few of their leaders, were all either too young to be trusted, or too obscure, even to be known by him<sup>4</sup>. He could have been of little or no service to them in the execution of the act, yet of much greater in justifying it afterwards to the city, for having had no share in it, nor any personal interest, to make his authority suspected. These were the true reasons, without doubt, why Brutus and Cassius did not impart the design to him: had it been from any other motive, as some writers have suggested, or had it admitted any interpretation injurious to his honour, he must have been often reproached with it by Antony, and his other adversaries of those times, who were so studious to invent and propagate any calumny that could damage his credit. I cannot, however,

A. Urb. 702. Cl. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

may imagine, in their private conversation; he knew the fierce and haughty spirit of Brutus and Cassius, and their impatience of a master; and cultivated a strict correspondence with them both, at this time, as if for the opportunity of exciting them to some act of vigour. On the news, that Atticus sent him, of Caesar's image being placed in the temple of Quirinus, adjoining to that of the goddess Salus; "I had rather," says he, "have him the comrade of Romulus, than of the goddess Safety:" referring to Romulus's fate of being killed in the senate. In another letter, it seems to be intimated, that Atticus and he had been contriving, or talking at least together, how Brutus might be spirited up to some attempt of that kind, by setting before him the fame and glory of his ancestors: "Does Brutus then tell us," says he, "that Caesar brings with him glad tidings to honest men? where will he find them? unless he hangs himself. But how securely is he now entrenched on all sides? What use then of your fine invention; the picture of old Brutus and Ahala with the verses under, which I saw in your gallery? Yet, what after all can he do?" One cannot help observing, likewise, in his pieces addressed about this time to Brutus, how artfully he falls into a lamentation of the times, and of the particular unhappiness of Brutus himself, in being deprived by them of all the hopes and use of his great talents; putting him in mind, at the same time, of his double descent from ancestors, who had acquired immortal glory by delivering Rome from servitude. Thus he concludes his treatise on famous orators.

"When I look upon you, Brutus, I am grieved to see your youth, running, as it were, in full career through the midst of glory, stopped short by the wretched fate of your country. This grief sits heavy upon me, and on our common friend Atticus, the partner of my affection, and good opinion of you; we heartily wish you well; wish to see you reap the fruit of your virtue, and to live in a republic, that may give you the

<sup>1</sup> *Etum σθένος* Quirino malo, quam Saluti. Ibid. 12. 15.

<sup>2</sup> *Itaque nunciat Brutus, illum ad bonos viros? ἀπαγγελία*: sed ubi eos? nisi forte se suspendit? hic autem ut stultum est! ubi igitur *φιλοτέχνημα* illud tuum quod vidi in Parthenone, Ahalam et Brutum? sed quid faciat? Ibid. 13. 40.

Parthenone is supposed to denote some room or gallery in Brutus's, or more probably in Atticus's house, adorned with the images or portraits of the great men of Rome, under each of which, as Cornelius Nepos tells us, [in vit. Att. c. 18.] Atticus had severally described their principal acts and honours, in four or five verses of his own composing; where the contemplation of these figures of old Brutus and Ahala, joined together in one picture, with the verses under, had given a handle perhaps to a conversation between Cicero and him, how Brutus might be incited, by the example of those great ancestors, to dissolve the tyranny of Caesar. It seems also, very probable, that this very picture of Atticus's invention, as Cicero calls it, might give occasion to the thought and coinage of that silver medal or denarius, which is still extant, with the *heads and names* of those two old patriots: Brutus on the one side, Ahala on the other. *Vide Theodor. Merell. in Fam. Junia. Tab. 1. 1.*

A L. 5. 79. 4. 1. 63. 1. 4. 5. — M. Antonius. — P. Cornelius Brutus.

opportunity, not only to revive, but to increase the honour and memory of the two noble families from which you descend;—for the Forum was wholly your's; your's all that comes of glory: you, of all the young pleaders, brought thither not only a tongue ready formed by the exercise of speaking, but had enriched your oratory by the furniture also of the seven arts: and, by the help of the same arts, had joined to a perfection of eloquence the ornament of every virtue. We are doubly sorry, therefore, on your account, that you want the benefit of the republic;—the republic of you: but though the odious ruin of the city extinguishes the use of your abilities, go on still, Brutus, to pursue your usual studies," &c.

These passages seem to give a reasonable ground to believe that Cicero, though a stranger to the particular counsels of the conspirators, had yet a general notion of their design, as well as some share in promoting it. In his reply to Antony's charge, he does not deny his expectation of it, freely owns his joy for it, and thanks him for giving him an honour, which he had not merited, of bearing a part in it. He calls it the most glorious act which had ever been done, not only in that, but in any other city: in which men were more forward to claim a share which they had not, than to dissemble that which they had: that Brutus's reason for not calling upon him, was to signify, that he was then emulating his praises, by an act, not unlike to what he had done: that if to wish Cæsar's death was a crime, to rejoice at it was the same; there being no difference between the adviser and the approver: yet, excepting Antony, and a few more, who were fond of having a hand

A. Urb. 709. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

Forum; where, in the first heat of joy, for the death of a tyrant, several of the young nobility, who had borne no part in the conspiracy, joined themselves to the company, with swords in their hands, out of an ambition to be thought partakers in the act; but they paid dear afterwards for that vanity, and, without any share of the glory, were involved in the ruin which it drew upon all the rest. Brutus designed to have spoken to the citizens from the rostra; but, perceiving them to be in too great an agitation to attend to speeches, and being uncertain what way the popular humour might turn, and knowing that there were great numbers of Cæsar's old soldiers in the city, who had been summoned from all parts to attend him to the Parthian war, he thought proper, with his accomplices, under the guard of Decimus's gladiators, to take refuge in the capitol<sup>1</sup>. Being here secured from any immediate violence, he summoned the people thither in the afternoon; and in a speech to them, which he had prepared, justified his act, and explained the motives of it, and in a pathetic manner, exhorted them to exert themselves in the defence of their country, and maintain the liberty now offered to them, against all the abettors of the late tyranny. Cicero presently followed them into the capitol, with the best and greatest part of the senate, to deliberate on the proper means of improving this hopeful beginning, and establishing their liberty on a solid and lasting foundation.

Antony, in the mean while, shocked by the hardness of the act, and apprehending some danger to his own life, stripped himself of his consular robes, and fled home in disguise, where he began to fortify his house, and kept himself close all that day<sup>2</sup>, till, perceiving the pacific conduct of the conspirators, he recovered his spirits, and appeared again the next morning in public.

While things were in this situation, L. Cornelius Cinna, one of the prætors, who was nearly allied to Cæsar, made a speech to the people in praise of the conspirators; extolling their act as highly meritorious, and exhorting the multitude to invite them down from the capitol, and reward them with the

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tyrant. There was a medal likewise struck on this occasion, with the same device, which is still extant. The thought, however, was not new; for Saturninus, in his sedition, when he had possessed himself of the capitol, exalted a cap also on the top of a spear, as a token of liberty to all the slaves who would join with him; and though Marius, in his sixth consulship, destroyed him for that act, by a decree of the senate, yet he himself used the same expedient afterwards to invite the slaves to take arms with him against Sylla, who was marching with his army into the city, to attack him. Val. Max. 8. 6.

<sup>1</sup> App. 2. p. 503. Dio, p. 250. Plut. in Cæs. et Brut.

<sup>2</sup> *Quæ tua fuga? quæ formido præclaro illo die? quæ propter conscientiam scelerum desperatio vitæ? cum ex illa fuga—clam te domum recepisti.* Philip. 2. 35. Vid. Dio. p. 259. App. 502, 503.

A. U. C. 702. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

honours due to the deliverers of their country: then, throwing off his prætorian robe, he declared that he would not wear any longer, as being bestowed upon him by a tyrant, and as by the laws. But the next day, as he was going to the senate, some of Cæsar's veteran soldiers, having gathered a mob of the same party, attacked him in the streets with volley stones, and drove him into a house, which they were presently to set on fire, with design to have burnt him in it, if Lepidus had not come to his rescue with a body of regular troops.

Lepidus was, at this time, in the suburbs of Rome, at the head of an army, ready to depart for the government of Spain, which had been assigned to him by Cæsar, with a part of Gaul. In the night, therefore, after Cæsar's death, he left the Forum with his troops, and finding himself superior to a man in power, began to think of making himself master of the city, and taking immediate revenge on the conspirators; but being a weak and vain man, Antony easily diverted him from that design, and managed him to his own views: he represented the hazard and difficulty of the attempt, while the senate, the city, and all Italy were against them: that the only way to effect what they wished, was to dissemble their real purpose: to recommend pacific counsels, and lull their adversaries asleep, till they had provided a strength sufficient to oppress them; and that, as soon as things were ripe, they would join with him very heartily in avenging Cæsar's death. With these remonstrances he pacified him: and, in the

A. Urb. 709. Cic. 63. Cœs.—M. Antonius. P. Cornelius Dolabella.

ing that it would be sufficient of itself to effect all that expected from it, and draw an universal concurrence to defence of their common liberty; and taking it for granted Cæsar's fate, in the height of all his greatness, would any of his partizans from aiming at the same power: placed withal a great confidence in Cicero's authority, of which they assured themselves as their own, and were not disappointed; for, from this moment, he resolved, at all adventures, to support the credit of the men and their act, as the means left of recovering the republic. He knew that the people were all on their side; and, as long as force was retained, that they were masters of the city. His advice, therefore, was, to use their present advantage, and, in the consternation of Cæsar's party, and the zeal and union of their own, Brutus and Cassius, as prætors, should call the senate into the capitol, and proceed to some vigorous decrees, for the recovery of the public tranquillity<sup>1</sup>. But Brutus was for proceeding calmly, and with all due respect to the authority of the consul; and, having conceived hopes of Antony, proposed sending a deputation to him, to exhort him to measures of peace; Cicero remonstrated against it, nor would be prevailed on to bear a part in it; he told them, plainly, that there could be no safe treaty with him; that, as long as he was master of them, he would promise every thing; but when his passions were over, would be like himself, and perform nothing: so, while the other consular senators were going forwards and backwards in this office of mediation, he stuck to his point, and remained with the rest in the capitol, and did not see Antony for two first days<sup>2</sup>.

The event confirmed what Cicero foretold: Antony had no thoughts of peace, or of any good to the republic; his sole design was to seize the government to himself, as soon as he should be in condition to do it: and then, on pretence of avenging Cæsar's death, to destroy all those who were likely to oppose him. As his business, therefore, was to gain time, by disssembling and deceiving the republican party into a good opinion of him; so all his answers were mild and moderate, professing a sincere inclination to peace, and no other desire than to see the republic settled again on its old basis. Two days passed in mutual assurances, from both sides, of their

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Le ministri me chiamare, illo ipso primo Capitolino die, Senatum in Capitolium acribus vocari? Dii immortales, quæ tum opera effici potuerunt, lætantibus omnibus, etiam sat bonis, fractis latronibus? Ad Att. 14. 10.

Non enim illis in Capitolino liberatoribus nostris, cum me ad te ire vellent ut ad eandem Rempub. te adhortarer, quoad metueres, omnia te promissurum, simul ac adestis, similem te futurum tui. Itaque cum ceteri Consulares irent, redirent, intenti mansi; neque te illo die, neque postero, vidi. Philip. 2. 35.

A. U. C. 709. C. H. 65. Cons.—M. Antonium. P. Cornelia Domitia

disposition to concord and amity; and Antony summoned the senate on the third to adjust the conditions of it, and embellish them by some solemn act. Here Cicero, as the best foundation of a lasting quiet, moved the assembly, in the first place, after the example of Athens, to decree a general amnesty, or act of oblivion, for all that was past; to which they unanimously agreed. Antony seemed to be all goodness; he took nothing but healing measures; and for a proof of his sincerity moved, that the conspirators should be invited to take part in their deliberations, and sent his son as an hostage for their safety: upon which they all came down from the capital; and Brutus supped with Lepidus, Cassius with Antony, and the day ended to the universal joy of the city, who imagined that their liberty was now crowned with certain peace<sup>1</sup>.

There were several things, however, very artfully proposed and carried by Antony, on the pretence of public concord, of which he afterwards made a most pernicious use; particularly a decree for the confirmation of all Cæsar's acts: this was suspected by many, who stuck upon it for some time, and called upon Antony to explain it, and specify how far it was to extend: he assured them, that no other acts were meant than what were known to every body, and entered publicly in Cæsar's register: they asked if any persons were to be restored from exile? He said, one only, and no more: whether immunities were granted to cities or countries? He answered none; and consented, that it should pass with a restriction proposed by Ser. Sulpicius; that no grant, which was to

A. Urb. 702. Cl. 62. Cons.—M. Antonius. P. Cornelius Dolabella.

ed to them. But Brutus and his friends had private reasons for entertaining a better opinion of Antony than his outward conduct would justify: Cæsar had used him roughly on several occasions<sup>1</sup>; and they knew his resentment of it; that he had been engaged with Trebonius, on Cæsar's last journey from Spain, in a design against his life: and, though he did not perform that engagement, yet they thought it an obligation, as well as a proof of his continuing in the same mind, that he had not discovered it, which was the reason of their sparing him, when Cæsar was killed, and of Trebonius's taking him aside, on pretence of business, lest his behaviour, on that occasion, might provoke them to kill him.

But, as Cicero often laments, they had already ruined their cause, by giving Antony leisure to recollect himself, and gather troops about him, by which he forced upon them several other measures against their will; one of them in favour of the veteran soldiers, whom he had drawn up, for that purpose, in arms about the senate<sup>2</sup>: and another still worse, for the allowance of a public funeral to Cæsar; which Atticus had been remonstrating against, both to Cicero and Brutus, as pernicious to the peace of the city; but it was too late to prevent it: Antony had resolved upon it, and had provided all things for it, as the best opportunity of inflaming the soldiers and the populace, and raising some commotions to the disadvantage of the Republican cause: in which he succeeded so well, that Brutus and Cassius had no small difficulty to defend their lives and causes from the violence of this mob<sup>3</sup>. In this tumult, Helvius Cinna, one of the tribunes, and a particular friend of Cæsar, was torn in pieces by the rabble; being mistaken, unfortunately, for the prætor of that name, who, as it is said above, had extolled the act of killing Cæsar in a speech from the rostra: this so alarmed all those who had any similitude of name with any of the conspirators, that Caius Casca, another senator, thought fit, by a public advertisement, to signify the distinction of his person and principles from Publius Casca, who gave the first blow to Cæsar<sup>4</sup>.

<sup>1</sup> Philip. 2. 29.

<sup>2</sup> Quanquam si interfici Cæsarem voluimus crimen est, vide quæro, Antoni, quid tibi futurum sit, quem et Narbone hoc consilium cum C. Trebonio cepisse notissimum est, et ob ejus consilii societatem, cum interficeretur Cæsar, tum te a Trebonio vidimus sevocari. Ibid. 14.

<sup>3</sup> Nonne omni ratione veterans, qui armati aderant, cum præsidii nos nihil haberemus, defendendi fuerunt? Ad Att. 14. 14.

<sup>4</sup> Minusne te clamare, causam perisse, si funere elatus esset? at ille etiam in foro laudatusque miserabiliter servique et agentes in tecta nostra cum facibus. Ibid. 14. 10. 14. Plut. in Brut.

Helvius Cinna Trib. pl. ex funere C. Cæsaris domum suam petens, populi manus est, pro Cornelio Cinna, in quem se vivere se existimabat, iratus ei, quod cum

A. U. C. 709. Cic. 63. Coss. M. Antonius. P. Cicer. et Dauid.

We are not to imagine, however, as it is commonly believed, that these violences were owing to the general indignation of the citizens against the murderers of Cæsar, excited either by the spectacle of his body, or the eloquence of Antony, who made the funeral oration: for, it is certain, that Cæsar, through his whole reign, could never draw from the people any public signification of their favour; but, on the contrary, was constantly mortified, by the perpetual demonstrations of his hatred and disaffection to him. The case was the same after his death: the memory of his tyranny was odious, and Brutus and Cassius, the real favourites of the city: as appeared on all occasions, wherever their free and genuine sense could be declared, in the public shows and theatres; which Cicero frequently appeals to, as a proper encouragement to all honest men, to act with spirit and vigour, in the defence of this common liberty. What happened, therefore, at the funeral, was the effect of artifice and faction; the work of a mercenary rabble: the greatest part slaves and strangers, listed and prepared for violence, against a party unarmed, and pursuing pacific counsels, and placing all their trust and security in the justice of their cause. Cicero calls it a conspiracy of *Caristi freedmen*, who were the chief managers of the tumult: in which the Jews seem to have borne a considerable part: who out of hatred to Pompey, for his affront to their city and temple, were zealously attached to Cæsar, and, above all other foreigners in Rome, distinguished themselves by expressions of their grief for his death; so as to spend many nights at his monument in a kind of religious devotion.

709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

he did not think it possible for any of them to be they all, therefore, quitted Rome: Trebonius stole secretly for Asia, to take possession of that province, before been assigned to him; being afraid of being by the intrigues of Antony: D. Brutus, for the time, possessed himself of the Cisalpine or Italic Gaul, which had been conferred upon him likewise by Cæsar, in order to strengthen himself there against all events, and by his return to Rome, to encourage and protect all the friends of liberty: M. Brutus, accompanied by Cassius, retired to his villas near Lanuvium, to deliberate about their future conduct, and to take such measures, as the accidents of times and the motions of their enemies should require.

Soon as the conspirators were gone, Antony resumed his usual manner, and, as if the late violences had been accidental only, ordered the transport of a vile mob, professed the same sentiments as before, and affected to speak with the greatest moderation to Brutus and Cassius; and, by several seasonable acts of civility to him, appeared to have nothing so far from his heart as the public concord: among other decrees, he passed a law, which was prepared and drawn up by himself, to revive, the name and office of Dictator: this seemed to be a pledge of his good intentions, and gave an unsatisfaction to the senate; who passed it, as it were, by acclamation, without putting it even to the vote; and decreed that the office of Dictator should be conferred on the house for it to Antony, who, as Cicero told him, had fixed an indelible infamy, by it, on himself, in declaring to the world, that, for the odium of his name, such a decree was become both necessary and expedient.

Antony also left Rome soon after Brutus and Cassius<sup>3</sup>, not satisfied to see things take so wrong a turn, by the influence of their friends; which gave him frequent occasion to remark, that the Ides of March had produced nothing which pleased him.

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me Hirtius fuit; qua mente Antonius esset, demonstravit, pessima lissima. Nam se neque mihi provinciam dare posse aiebat, neque arbitrari, se quemquam nostrum, adeo esse militum concitatos animos et plebis. que esse falsum puto vos animadvertere—placitum est mihi postulare, ut e Romæ publico præsidio: quod illos nobis concessuros non puto. Ep.

, quæ vim jam regie potestatis obsederat, funditus e Repub. sustulit. De his quidem diximus—eique amplissimis verbis per S. C. gratias egimus—in illud, quod Dictaturæ nomen sustulisti: hæc inusta est a te—mortuo ignominiam sempiternam, &c. Philip. 1. l. 15.

teneri urbem a parricidis viderem, nec te in ea, nec Cassium tuto esse armis oppressam ab Antonio, mihi quoque ipsi esse excedendum putavi.

A. Urb 702 Cw 63. Cons.—M Antonius P. Cor

him, but the fact of the day : which was execrably manly vigour, but supported by childish compassion. Through the country, he found nothing, rejoicing in all the great towns, on the account of death : " It is impossible to express," says he, " is every where : how all people flock about me, they are to hear an account of it from me : yet, politics do we pursue ! What a solecism do we be afraid of those, whom we have subdued : to die for whose death we rejoice : to suffer tyranny if the tyrant is killed : and the republic to be lost if liberty is recovered !"

Atticus sent him word of some remarkable applause given to the famed comedian, Publius, for what he said upon the stage, in favour of the public liberty. L. Cassius, the brother of the conspirator, then one hundred years of age, was received with infinite acclamations upon his entrance into the theatre<sup>2</sup> : which convinced him only the mistake of their friends in sitting still, and trusting to the merit of their cause, while their enemies were using to destroy them. This general inclination, which declared so freely on the side of liberty, obliged Antony to caution, and, as far as possible, to persuade the city was on the same side too : for which end he did another at this time, both prudent and popular, in putting to death the impostor Marius, who was now returned to Rome, so as he gave out, the death of his king, thus signalling himself at that time, and thus increasing his popularity.

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

rence with him about this time, which passed to mutual action<sup>1</sup>.

By these arts, Antony hoped to amuse the conspirators, and to keep them to lay aside all vigorous counsels; especially, the one he most apprehended, that of leaving Italy, and seizing the provinces abroad, furnished with troops and money: he might put them into a condition to act offensively: with the same view he wrote an artful letter to Cicero, to desire his consent to the restoration of S. Clodius, the chief agent of P. Clodius, who had been several years in banishment, for out-committed in the city; chiefly against Cicero himself, whose account he was condemned. Antony, by his marriage with Fulvia, the widow of P. Clodius, became the protector of all that family, and the tutor of young Publius, her son, which gave him a decent pretence of interesting himself in this affair. He assures Cicero, that he had procured a pardon for S. Clodius from Cæsar; but did not intend to have any use of it, till he had obtained his consent: and, though he thought himself now obliged to support all Cæsar's acts, yet he would not insist on this against his leave—that it would be a great obligation to young Publius, a youth of the greatest hopes, to see him, that Cicero did not extend his revenge to his father's friends. "Permit me," says he, "to instil these sentiments into the boy; and to persuade his tender mind, that civil wars are not to be perpetuated in families: and though my condition, I know, is superior to all danger; yet you will choose, I fancy, to enjoy a quiet and honourable, rather than a turbulent old age. Lastly, I have a sort of right to your favour of you; since I never refused any thing to you; if I do not however prevail with you, I will not grant the pardon to Clodius; that you may see how great your authority is over me: shew yourself the more placable on that account<sup>2</sup>." Cicero never hesitated about giving his consent, to what Antony could and would have done without it: the thing itself however was scandalous, and the pardon said to be granted by Cæsar a forgery; and that Cæsar would never have done it, or allowed it to be done; and so many forgeries of that kind become published every day from Cæsar's books, that he was not tempted, he says, to wish for Cæsar again<sup>3</sup>. He an-

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Antonii colloquium cum nostris Heröibus pro re nata non incommodum. Ad .6.

id. 14. after letter the 13th.

Antonius ad me scripsit de restitutione S. Clodii: quam honorifice quod ad me attulit ipsius litteris cognosces—quam dissolute, quam turpiter, quamque ita perniciose, nunquam etiam Cæsar desiderandus esse videatur, facile existimabis; quæ enim nunquam neque fecisset, neque passus esset, ea nunc ex falsis ejus commentariis

forced to consider him as an enemy<sup>1</sup>.

Antony made him but a cold reply in the mean time, of something which was his conduct. He told him only that he was agreeable to him, and might, he was sure to himself<sup>2</sup>.

Cleopatra, the queen of Egypt, who was killed; but being terrified by the subsequent disorders of the city, she fled with great precipitation. Her authority at Alexandria, whose house she was lodged, made her the Romans, whom she seems to have been dealing with her own Egyptians; as the slaves and the slaves of a master, whom she consulted in a conference with her in Caesar's garden. Her want of taste and character, she made him present, very agreeable, but disobliging in performing it: he does not tell us what hints, which he drops, it seems to have been sent from Egypt, for the ornament of furniture which he was peculiarly fond of. Being mortified by Caesar's fate, she sent to him, by her ministers, for his assistance that she was recommending to the senate to be concerned. The affair seems to have been a son, whom she pretended to be Cæsar's name, and was labouring to get him to Rome, and declared the heir of her empire the year following, both by Antony and his friends were generally scandalized at

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A. U. C. 709. Cio. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

worth while to write a book, to prove that the child could be Caesar's<sup>1</sup>. Cleopatra had been waiting to accompany Caesar into the east, in order to preserve her influence over him, which was very great; for, after his death, Helvius Cinna, one of the tribunes, owned, that he had a law ready prepared, delivered to him by Caesar, with orders to publish it, as soon as he was gone, for granting to him the liberty of taking what number of wives, and of what condition he thought fit, for the sake of propagating children<sup>2</sup>. This was contrived, probably, to save Cleopatra's honour, and to legitimate his issue by her; since polygamy, and the marriage of a stranger, were prohibited by the laws of Rome.

Cicero touches these particulars in several places, though darkly and abruptly, according to the style of his Letters to Atticus. "The flight of the queen," says he, "gives me no pain. I should be glad to hear what farther news there is of her, and her young Caesar. I hate the queen: her agent, Ammonius, the witness and sponsor of her promises to me, knows that I have reason: they were things only proper for a man of letters, and suitable to my character; so that I should not scruple to proclaim them from the rostra. Her other agent, Sara, is not only a rascal, but has been rude to me. I never saw him at my house but once, and when I asked him, civilly, what commands he had for me, he said, that he came to look for Atticus. As to the pride of the queen, when I saw her in the gardens, I can never think of it without resentment: I will have nothing, therefore, to do with them: they take me to have neither spirit, nor even feeling left<sup>3</sup>."

Antony having put his affairs into the best train that he could, and appointed the first of June for a meeting of the senate, in order to deliberate on the state of the Republic, took the opportunity of that interval to make a progress through Italy, for the sake of visiting the quarters of the veteran soldiers, and engaging them to his service, by all sorts of

<sup>1</sup> Quorum C. Oppius, quasi plane defensione ac patrocinio res egeret, librum eddidit, non esse Caesaris filium, quem Cleopatra dicat. Sueton. J. Cæs. 52, vid. Dio. p. 227. 345.

<sup>2</sup> Helvius Cinna—confessus est, habuisse se scriptam paratamque legem, quam Cæsar forte iussisset cum ipso abeas, ut uxores liberorum querendorum causa quas et quot ducere vellet, liceret. Sueton. ib. Dio. 243.

<sup>3</sup> Regine fuga mihi non molesta. [Ad Att. 14. 8.] de Regina velim, atque etiam de Cæsare illa. [ib. 20.] Regnam odi. Me jure facere scit sponsor promissorum ejus Ammonius; qui quidem erant φιλόλογα et dignitatis meæ, ut vel in concione dicere audeam. Saram autem, præterquam quod nefarium hominem cognovi, præterea in me contumacem. Semel eum omnino domi meæ vidi. Cum φιλοφρόνως ex eo quererem, quid opus esset, Atticum se dixit querere. Superbiam autem ipsius Regine, cum esset trans Tiberim in hortis, commemorare sine magno dolore non possum. Nihil igitur cum istis: nec tam animum me, quam vix stomachum habere arbitrantur. Ibid. 15. 15.

A. Urb. 709. Cix. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

bribes and promises. He left the government of the city Dolabella, whom Cæsar, upon his intended expedition to Parthia, had designed and nominated to the consulship, although Antony had protested against that designation, and resolved to obstruct its effect, yet, after Cæsar's death, Dolabella, by the advantage of the general confusion, and the exigency of the office, and assumed the habit and character of the consul, Antony quietly received and acknowledged him as such, at the next meeting of the senate<sup>1</sup>.

Cicero had always kept up a fair correspondence with his son-in-law, though he had long known him to be void of virtue and good principles: but he had now greater reason than ever for insinuating himself, as far as he was able, into his confidence, in order to engage him, if possible, to the interests of the Republic, and use him as a check upon the designs of his colleague Antony; in which he had the greater prospect of success, on the account of their declared enmity to each other. Dolabella greatly confirmed these hopes; and as soon as Antony had left the city, made all honest men think themselves sure of him by exerting a most severe, as well as seasonable, and salutary discipline, upon the disturbers of the public tranquillity. For the mob, headed by the impostor Marius, and the freedmen of Cæsar, had erected an altar in the Forum, on the spot where Cæsar's body was burnt, with a pillar of Numidian marble twenty feet high, inscribed to the father of his country. Here they performed daily sacrifices and divine rites, and the humors of worshipping at this new altar began to spread itself so fast

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

once of his counsels: in a letter upon it to Atticus: "O my **mirable** Dolabella!" says he, "I now call him mine: for, **lieve** me, I had some doubt of him before; the fact affords **matter** of great speculation; to throw them down the rock; to **erify**; demolish the pillar; pave the area; in short, it is **poic**. He has extinguished all appearance of that regret for **near**, which was spreading every day so fast, that I began to **prehend** some danger to our tyrant-killers: but I now agree **ith** you, and conceive better hopes," &c.<sup>1</sup> Again: "O the **ave** act of Dolabella! what a prospect does it give us! I **nter** cease praising and exhorting him—Our Brutus, I dare **y**, might now walk safely through the Forum, with a crown **gold** upon his head; for who dares molest him, when the **ck** or the cross is to be their fate? and when the very lowest **the** people give such proofs of their applause and appro- **tion**?" He wrote, at the same time, from Baïæ, the follow- **g** letter to Dolabella himself.

"CICERO TO DOLABELLA, CONSUL.

"Though I was content, my Dolabella, with your glory, and **aped** a sufficiency of pleasure from it, yet I cannot but own, **at** it gives me an inexpressible joy, to find the world ascribing **me** also some share in your praises. I have met with no- **ody** here, though I see so much company every day, (for **here** are many worthy men now at this place, for the sake of **heir** health, and many of my acquaintance from the great **owns**) who, after extolling you to the skies, do not give thanks **resently** to me; not doubting, as they all say, but it is by my **recepts** and advice, that you now shew yourself to be this ad- **mirable** citizen, and singular consul: and though I could assure **hem**, with great truth, that what you are doing flows wholly **rom** yourself, and your own judgment, and that you want not **he** advice of any one; yet I neither wholly assent, lest I should **derogate** from your merit, by making it seem to proceed from

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controversias quasdam, interposito per Cæsarem jurejurando, distrahere perseveravit. Sueton. J. Cæs. 85.

Manabat enim illud malum urbanum, et ita corroborabatur quotidie, ut ego quidem et urbi et otio diffiderem urbano. Ep. Fam. 12. 1.

Nam cum serperet in urbe infinitum malum—et quotidie magis magisque perditii homines, cum sui similibus servis, tectis et templis urbis minarentur; talis animadversio fuit Dolabellæ, cum in audaces secleratosque servos, tum in impuros et nefarios cives, talisque eversio illius execratæ columnæ, &c. Philip. 1. 2—recordare, quæso, Dola- bella, consensum illum theatri. Vid. ib. 12.

<sup>1</sup> Ad Att. 14. 15.

<sup>2</sup> O Dolabellæ nostri ἀπιστίαν! quanta est ἀναθεώρησις! equidem laudare eum et hortari non desisto—mihi quidem videtur Brutus noster jam vel coronam auream per forum ferre posse, quis enim audeat violare, proposita cruce aut saxo? præsertim tantis clausibus, tanta approbatione infimorum? Ibid. 16.

A. Urb. 709 Ch. 64. Cont.—M., Antonio, P. Gomez &amp; Dada

my counsel; nor do I strongly deny it, being myself, far more greedy of glory than I ought to be. But that can be a diminution to you, which was an honour even to me, the king of kings, to have a Nestor for his counsellor: while it will be glorious to me, to see a young man, the scholar, as it were, of my discipline, flourishing in the midst of applause. L. Caesar, when I visited him lately at Naples, though oppressed with pain in every part of his body, yet, before he had even saluted me, could not forbear saying, O my Cicero! I congratulate with you on account of the authority which you have with Dolabella: for if I had the same credit with my sister's son, Antony, we should all now be consuls; but as to your Dolabella, I both congratulate with him and thank him; since, from the time of your consulship, he has been the only one, whom we can truly call a consul: he then eulogized upon your act, and the manner of it; and declared that it was ever greater, nothing nobler, nothing more salutary to the state; and this, indeed, is the common voice of all. Alas! therefore, I beg of you, to take some share, though but a false one, in the possession of another man's glory; and to draw me, in some degree, into a partnership of your praises. I am to be serious, my Dolabella, for hitherto I have been joking. I would sooner transfer all the credit that I have to myself, than really have any, than rob you of any part of yours. I have always had that sincere affection for you, to which I have been no stranger, so now I am so charmed by your conduct, that no love was ever more ardent. For, be-

A. Urb. 709 Cic. 63. Cont.—M. Antonius. P. Cornelius Dolabella.

which scarce ever happened to any man; that, by the utmost severity of punishing, instead of acquiring odium, you are become popular; and not only with the better sort, but the very meanest of the city. If this was owing to fortune, I should congratulate your felicity; but it was owing to the greatness of your courage, as well as of your parts and wisdom. For I have read your speech to the people: nothing was ever more prudent: you enter so deliberately and gradually into the reason of your act, and retire from it so artfully, that the case itself, in the opinion of all, appears to be ripe for punishment. You have freed us, therefore, both from our danger and our fears, and have done an act of the greatest service, not only to the present times, but for the example of it also to posterity. You are to consider, that the republic now rests upon your shoulders: and that it is your part, not only to protect, but to adorn those men, from whom we have received this beginning of our liberty: but of this we shall talk more fully when we meet again, as I hope we shall shortly; in the mean while, since you are the common guardian, both of the republic, and of us all, take care, my dear Dolabella, that you guard more especially your own safety<sup>1</sup>."

In this retreat from Rome, he had a mind to make an excursion to Greece, and pay a visit to his son at Athens, whose conduct did not please him, and seemed to require his presence to reform and set it right<sup>2</sup>. But the news of Dolabella's behaviour, and the hopes which it gave, of gaining the only thing that was wanted, a head and leader of their cause, armed with the authority of the state, made him resolved to stay, at least till after the first of June, lest his absence should be interpreted as a kind of desertion; nor did he ever intend, indeed, to leave Italy, till he could do it without censure, and to the full satisfaction of Brutus, whom he was determined never to desert on any occasion<sup>3</sup>.

He had frequent meetings and conferences all this while with his old friends of the opposite party, the late ministers of Caesar's power; Pansa, Hirtius, Balbus, Matius, &c.: but Caesar's death, on which their sentiments were very different from his, had, in a great measure, broken their former confidence; and, though the popularity of the act made them some-

<sup>1</sup> Ep. Pam. 9. 14.

<sup>2</sup> Quod sentio valde esse utile ad confirmationem Ciceronis, me illuc venire. [Ad Att. 14. 18.] Magni interest Ciceronis, vel mea potius, vel mehercule utriusque, me intervenire discenti. Ibid. 16.

<sup>3</sup> Nunc autem videmur habituri ducem, quod unum Municipia bonique desiderant. Ibid. 20.

Nec vero discedam, nisi cum tu me ad honeste putabis facere posse. Bruto certe meo nullo loco deero. Ibid. 15.—Vid. 16. 13.

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what shy of speaking their minds freely about it, yet be only perceived that they were utterly displeased with it, and seemed to want an occasion of revenging it. Pansa and Hirtius, as has been said, were nominated by Cæsar to the consulship of the next year, and, as Cæsar's acts were ratified by the senate, were to succeed to it of course. This made Brutus and Cassius press Cicero earnestly to gain them, if possible, to the republican side: but especially Hirtius, whom they most suspected. But Cicero seems to have had little hopes of success: his account of them to Atticus, is, that there was not one of them who did not dread peace more than war; that they were perpetually lamenting the miserable end of so great a man, and declaring that the Republic was ruined by it; that all his act would be made void, as soon as people's fears were over, and that clemency was his ruin: since, if it had not been for that, he could not have perished in such a manner: and of Hirtius in particular: "He warmly loves him," says he, "when Brutus stabbed: as to their desiring me to make him better, I am doing my endeavour: he talks very honestly, but lives with Balbus; who talks honestly too: how far they are to be trusted, you must consider."

But of all this set of men, Matius was the most open and explicit in condemning the act of the conspirators, so as to put Cicero out of humour with him, as a man irreconcilable to the liberty of the Republic. Cicero called upon him, on his way from Rome into the country, and found him sullen, desponding, and foreboding nothing but wars and desolation, as the certain consequence of Cæsar's death. Among other particulars of

A. Urb. 709. Cl. 62. Cons.—M. Antonius. P. Cornelius Dolabella.

“Any man be easy enough to forgive it, it is he, though I do not question but that he really hates me.”

There were several reasons, however, which made it necessary to these men to court Cicero, at this time, as much as answer; for, if the Republic happened to recover itself, he was of all men the most capable to protect them on that side: if not, the most able to assist them against Antony, whose designs and success they dreaded still more; for, if they must have a new master, they were disposed, for the sake of Caesar, to prefer his heir and nephew Octavius. We find Hirtius and Pansa, therefore, very assiduous in their observance of him: they spent a great part of the summer with him at different times, in his villas, giving him the strongest assurances of their good intentions and disposition to peace, and that he should be the arbiter of their future consulship: and, though he continued still to have some distrust of Hirtius, yet Pansa wholly persuaded him that he was sincere<sup>1</sup>.

Brutus and Cassius continued still near Lanuvium, in the neighbourhood of Cicero's villa, at Astura, of which, at Cicero's desire, they sometimes made use<sup>2</sup>. Being yet irresolute what measures they should take, they kept themselves quiet and retired, expecting what time and chance would offer, and waiting particularly to see what humour the consuls would be in at the next meeting of the senate, with regard to themselves and the republic: and, since they were driven from the discharge of their praetorship, in the city, they contrived to put the people in mind of them, from time to time, by their edicts, in which they made the strongest professions of their pacific disposition, and declared that their conduct should give no handle for a civil war, and that they would submit to a perpetual exile, if it would contribute in any manner to the public concord, being content with the consciousness of their act, as the greatest honour which they could enjoy<sup>3</sup>. Their present design was to come to Rome on

<sup>1</sup> De Bruto nostro—Caesarem solitum dicere. Magni refert hic quid velit: sed quicquid vult, valde vult. Idque cum animadvertiss, cum pro Deiotaro Nicom dixerit, valde vehementer eum vlam, et libere dicere. Atque etiam proxime cum Scythi regem apud eum fuisset, expectaremque sedens quoad vocarer, dixisse eum; ego dubitem quin summo in odio sim, cum M. Cicero sedeat, nec suo commodo me convenire possit? Atqui si quisquam est facilis, hic est: tamen non dubito, quin me male oderit. Ibid. 14. 1.

<sup>2</sup> Cum Pansa vixi in Pompeiano. Is plane mihi probabat, se bene sentire et cupere pacem, &c. Ibid. 14. 20. it. 15. 1.

<sup>3</sup> Velim mehercule Astura Brutus. [Ibid. 14. 11.] Brutum apud me fuisset gaudeo: modo et libenter fuerit et sat diu. Ibid. 15. 3.

<sup>4</sup> Testati edictis, libenter se vel in perpetuo exilio victuros, dum Reipub. constaret concordia, nec ullam belli civilis praebituros materiam, plurimum sibi honoris esse in concordia facti sui, &c. [Vell. Pat. 2. 62.] Edictum Bruti et Cassii proba. [Ad Att. 14. 20.] De quibus tu bonam spem te habere significas propter edictorum humanitatem. Ibid. 15. 1.

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the first of June, and take their places in the senate, if it should be thought advisable, or to present themselves, at least, in the rostra, and try the affections of the people, for whom Brutus was preparing a speech. They sent to know Cicero's opinion of the project, with the copy also of that speech which Brutus read in the capitol, on the day of Cæsar's death, begging his review and correction of it, in order to its being published. Cicero, in his account of it to Atticus, says, "The oration is drawn up with the utmost elegance both of sentiments and style; yet were I to handle the subject, I should work it up with more fire. You know the character of the speaker; for which reason I could not correct it: for, in the style in which our friend would excel, and according to the idea which he has formed of the best manner of speaking, he has succeeded so well, that nothing could be better: but, whether I am in the right or the wrong, I am of a quite different taste. I wish, however, that you would read it, if you have not already, and let me know what you think of it; though I am afraid, lest, through the prejudice of your name, you should shew too much of the attic in your judgment; yet, if you remember the thunder of Demosthenes, you will perceive that the greatest force may consist with the perfection of attic elegance."

Atticus did not like the speech; he thought the manner too cold and spiritless for so great an occasion, and begged of Cicero to draw up another, to be published in Brutus's name; but Cicero would not consent to it, thinking the thing itself improper, and knowing that Brutus would take it ill. In one of his letters on the subject, "Though you may think me

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**It may be in his power to make a speech at all: for if ever he can appear again with safety at Rome, we have gained the victory<sup>1</sup>."**

**In this interval a new actor appeared on the stage, who, though hitherto but little considered, soon made the first figure upon it, and drew all people's eyes towards him, the young Octavius, who was left, by his uncle Cæsar, the heir of his name and estate. He had been sent, a few months before, to Apollonia, a celebrated academy, or school of learning, in Macedonia, there to wait for his uncle, on his way to the Parthian war, in which he was to attend him: but the news of Cæsar's death soon brought him back to Italy, to try what fortunes he could carve for himself, by the credit of his new name, and the help of his uncle's friends. He arrived at Naples on the eighteenth of April, whither Balbus went the next morning to receive him, and returned the same day to Cicero, near Cumæ, having first conducted Octavius to the adjoining villa of his father-in-law, Philip: Hirtius and Pansa were with Cicero at the same time, to whom they immediately presented Octavius, with the strongest professions, on the part of the young man, that he would be governed entirely by his direction<sup>2</sup>."**

The sole pretension which he avowed, at present, was to assert his right to the succession of his uncle's estate, and to claim the possession of it: but this was thought an attempt too hardy and dangerous for a mere boy, scarce yet above eighteen years old: for the republican party had great reason to be jealous of him, lest, with the inheritance of the estate, he should grasp at the power of his uncle; and Antony still more, who had destined that succession to himself, and already seized the effects, lest, by the advantage of all that wealth, Octavius might be in a condition to make head against him. The mother, therefore, and her husband Philip, out of concern for his safety, pressed him to suspend his claim for a while, and not assume an invidious name, before he could see what turn the public affairs would take; but he was of too great a spirit to relish any suggestions of caution; declaring it base and infamous to think himself unworthy of a name of which Cæsar had thought him worthy<sup>3</sup>: and there were many about him constantly pushing him on, to throw himself upon the affections

<sup>1</sup> Ibid. 14. 20.

<sup>2</sup> Octavius Neapolim venit a. d. XIII Kal. ibi eum Balbus mane postridie: eodemque die mecum in Cumano. [Ibid. 10.] Illic mecum Balbus, Hirtius, Pansa. Modo venit Octavius, et quidem in proximam villam Philippi, mihi totus deditus. Ibid. 11.

<sup>3</sup> Non placebat Atiæ matri, Philippoque vitrico, adiri nomen invidiosæ fortunæ Cæsaris—sprevit cœlestis animus humana consilia—dictitans, nefas esse, quo nomine Cæsari dignus esset visus, sibi met ipsum videri indignum. Vell. Pat. 2. 60.

A. Urb. 709. Cic. 63. Cæsar—M. Antonius

of the city, and the army, before his :  
selves too strong for him; so that he wa  
and to enter into action; being determ  
on the credit of his name, and the fi  
uncle.

Before he left the country, Cicero  
Atticus, says, "Octavius is still with  
the greatest respect and friendship: his  
name of Cæsar: Philip does not; nor i  
is not possible for him, in my opinion,  
there are so many about him who thi  
friends: they declare, that what they h  
forgiven. What will be the case, thi  
comes to Rome, where our deliverers ca  
who yet must ever be famous, nay,  
sciousness of their act: but as for us,  
we shall be undone. I long, therefore,  
may hear no more of these Pelopidæ<sup>1</sup>."

As soon as Octavius came to Rome,  
people by one of the tribunes, and n  
rostra, which was now generally posses  
Brutus, who were perpetually making  
to inflame the mob against him: "Re  
"what I tell you: this custom of see  
much cherished, that those heroes of o  
live, indeed, in immortal glory, yet not  
danger: their great comfort, however  
a most glorious act: but what comfort

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of course upon himself<sup>1</sup>. In these shows, Octavius brought out the golden chair, which, among the other honours decreed to Cæsar, when living, was ordered to be placed in the theatres and circus, as to a deity, on all solemn occasions<sup>2</sup>. But the tribunes ordered the chair to be taken away, upon which the body of the knights testified their applause by a general clap. Atticus sent an account of this to Cicero, which was very agreeable to him<sup>3</sup>: but he was not at all pleased with Octavius's conduct, since it indicated a spirit determined to revive the memory, and to avenge the death of Cæsar; and he was the less pleased to hear, also, that Matius had taken upon him the care of these shows<sup>4</sup>; since it confirmed the suspicion which he had before conceived of Matius, and made him apprehensive that he would be an ill counsellor to young Octavius, in which light he seems to have represented him to Brutus. Matius was informed of these suspicions, and complained to their common friend Trebatius, of Cicero's unkind opinion and unfriendly treatment of him, which gave occasion to the following apology from Cicero, and the answer to it from Matius, which is deservedly valued, not only for the beauty of its sentiments and composition, but for preserving to us a name and character, which was almost lost to history, of a most esteemed and amiable person, who lived in the first degree of confidence with Cæsar, and for parts, learning, and virtue, was scarce inferior to any of that age.

Cicero takes pains to persuade Matius that he had said nothing of him but what was consistent with the strictest friendship; and, to gain the easier credit with him, prefaces his apology with a detail and acknowledgment of Matius's perpetual civilities, and observance of him through life, even when in the height of his power and credit with Cæsar: but when he comes to the point of the complaint, he touches it very tenderly, and observes only, in general, that as Matius's dignity exposed every thing which he did to public notice, so the malice of the world interpreted some of his acts more hardly than they deserved: that it was his care always to give the most favourable turn to them.—“But you,” says he, “a man of the greatest learning, are not ignorant, that, if Cæsar was in fact a king, as I indeed looked upon him to have been, there are two ways of considering the case of your duty: either that, which I commonly take, of extolling your fidelity and humanity, in shewing

<sup>1</sup> Ludos autem victoriæ Cæsaris non audentibus facere, quibus obtigerat id munus, ipse edidit. Sueton. Aug. 10. Dio, p. 272.

<sup>2</sup> Dio, 44. 243.

<sup>3</sup> De Sella Cæsaris, bene Tribuni. Præclaros etiam xiv ordines. Ad Att. 15. 3.

<sup>4</sup> Ludorum ejus apparatus, et Matius ac Postumius procuratores non placent. Ibid. 2.



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as if it had been for myself. Is it possible, therefore, for me, who laboured to procure the safety of all, not to be concerned for the death of him from whom I used to profit? especially, when the very same men, who were the authors of making him odious, were the authors, also, of destroying him. But I shall have cause, they say, to repent for not to condemn their act. Unheard-of insolence! that it should be allowed to some to glory in a wicked action, yet not to others even to grieve at it without punishment! But this is always free even to slaves, to fear, rejoice, and grieve by their own will, not that of another; which yet these men, who are themselves the authors of liberty, are endeavouring to extirpate from us by the force of terror. But they may spare their threats; for no danger shall terrify me from performing my duty and the offices of humanity! since it was always my opinion, that an honest death was never to be avoided, often to be sought. But why are they angry with me, for being only that they may repent of their act? I wish that the world may regret Cæsar's death. But I ought, they say, as a member of civil society, to wish the good and safety of the republic. If my past life and future hopes do not already convince me that I wish it, without my saying so, I will not pretend to convince it by argument. I beg of you, therefore, in the strongest terms, to attend to facts rather than to words; and if you think it the most useful to one in my circumstances, that what is right should take place, never imagine that I can have any union or commerce with ill-designing men. I acted the same part in my youth, where to mistake would have been pardonable; shall I then undo it all again, and renounce my principles in my declining age? No; it is my resolution to do nothing that can give any offence, except it be when I lament the cruel fate of a dear friend and illustrious man. If I were in different sentiments, I would never disown what I was doing; lest I should be thought, not only wicked for pursuing what was wrong, but false and cowardly for dissembling it. But I undertook the care of the shows, which young Cæsar exhibited for the victory of his uncle: this was an affair of private, not of public duty; it was what I ought to have performed to the memory and honour of my dead friend; and what I could not, therefore deny to a youth of the greatest hopes, and so highly worthy of Cæsar. But I go often also to the consul Antony's, to pay my compliments: yet you will find those very men go oftener to ask and receive favours, who reflect upon me for it, as disaffected to my country. But what arrogance is this! When Cæsar never hindered me from visiting whom I would; even those whom

A. U. C. 709. Ch. 62. Cato—M. 11.

he did not care for; that they, who should attempt, by their cavils, to entice where I think proper. But the modesty of my life should not be reports of me, for the future, false reports of me, for my constancy to Cato, for my friends resemble me, rather than my own part, if I could have my remainder of my days in quiet at Rhodum prevent me, will live in such a manner to desire that what is right may prevail to our friend Trebatius, for giving me sincere and friendly regard for me, a duty to respect and observe a man, who always before with inclination. Take care preserve me in your affection."

Antony, all this while, was not idle; he signs with great vigour and address. In Italy, his business was to gather up Caesar the scraps, colonies and quarters in which he to large bribes and larger promises, to his interest, and draw great bodies of them to his party. He neglected no means to the more; and let all people be with him, as he thought that decree, to which he was to be added.

b. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

the mischief, but knew no remedy: Antony had the  
d their own decree had justified it: Cicero complains  
ily, in many of his letters, and declares it a thousand  
ter to die than to suffer it<sup>1</sup>. “Is it so, then?” says  
all that our Brutus has done come to this, that he  
re at last at Lanuvium, that Trebonius might steal  
rough private roads, to his province? That all the  
things, sayings, promises, thoughts of Cæsar, should  
enter force now than when he himself was living?”  
he charges to that mistake of the first day, in not  
ing the senate into the capitol, where they might have  
at they pleased, when their own party was uppermost,  
e robbers, as he calls them, dispersed and dejected<sup>2</sup>.

ing the other acts which Antony confirmed, on the pre-  
their being ordered by Cæsar, he granted the freedom  
ity to all Sicily, and restored to king Deiotarus all his  
dominions. Cicero speaks of this with great indig-  
“O my Atticus,” says he, “the Ides of March have  
nothing but the joy of revenging ourselves on him,  
re had reason to hate—it was a brave act, but left im-  
—you know what a kindness I have for the Sicilians—  
steem it an honour to be their patron: Cæsar granted  
any privileges, which I did not dislike; though his  
hem the rights of Latium was intolerable: yet that was  
to what Antony has done, who, for a large sum of  
has published a law, pretended to be made by the dic-  
an assembly of the people, though we never heard a  
of it in his life-time, which makes them all citizens of

Is not Deiotarus’s case just the same? He is worthy  
of any kingdom, but not by the grant of Fulvia: there  
ousand instances of the same sort<sup>3</sup>.” When this last  
hung up, as usual, in the capitol, among the public  
ents of the city, the forgery appeared so gross, that the  
in the midst of their concern, could not help laughing  
owing that Cæsar hated no man so much as Deiotarus.

bargain was made in Fulvia’s apartments, for the sum  
ty thousand pounds, by the king’s agents at Rome,  
consulting Cicero, or any other of their master’s  
yet the old king, it seems, was beforehand with them,  
sooner heard of Cæsar’s death, than he seized upon his  
ns again by force. “He knew it,” says Cicero, “to

um. 12. 1. Ad Att. 14. 9.

vero? hoc meus et tuus Brutus egit, ut Lanuvii esset? ut Trebonius itineribus  
disceretur in provinciam? ut omnia facta, scripta, dicta, promissa, cogitata  
is valerent, quam si ipse viveret? &c. Ad Att. 14. 10.

2,

him, above three hundred thousand a fortnight after it, he had

There was another instance of greater offence to the city, his which Cæsar had deposited, for ment, in the temple of Opis, amounting to a half of our money, besides from his private treasure, had deposited at about another million. sum, if we consider the vastness drawn, the extent of the Roman of all men, the most rapacious in ing to the manner in which it was deadly treasure, gathered from subjects; which, if it were not the true owners, might have been public, towards easing them of the

But Antony, who followed Cæsar, secured it to himself: the use of it he was now in condition to outbid purchase that he made with it, was who had long been oppressed with whom, by a part of this money, share in the plunder of the empire. Cicero and the republican party, it was an acquisition worth any price nation both of the city and the him; the town of Puteoli, once Italy, had lately chosen the two B patrons<sup>1</sup>, and there wanted nothing whole empire in that cause: Dolus

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<sup>1</sup> *Sengrapha* 11. 8. centies per legatos, — sine

A. Urb. 709. Cic. 63. Coes.—M. Antonius. P. Cornelius Dolabella.

...till bribed, as Cicero says, by force of money, he not deserted but overturned the republic<sup>1</sup>.

...proceedings, which were preparatory to the appointed meeting of the senate, on the first of June, began to turn Brutus's eyes, and convince him of the mistake of his measures, and favourable thoughts of Antony: he now saw that there was no good to be expected from him, or from the senate itself, under his influence; and thought it time, therefore, in concert with Cassius, to require an explicit account of his intentions, and to expostulate with him gently in the following letter:—

BRUTUS AND CASSIUS, PRÆTORS, TO M. ANTONIUS,  
CONSUL.

...we were not persuaded of your sincerity and good will, we should not have written this to you; which out of the disposition that you bear to us, you will take, without fail, in good part. We are informed that a great multitude of veteran soldiers is already come to Rome, and a much larger expected there on the first of June. If we could harbor any suspicion or fear of you, we should be unlike ourselves; yet surely, after we had put ourselves into your power, and by your advice, dismissed the friends whom we had about from the great towns, and that not only by public edict, but by private letters, we desire to be made acquainted with your designs, especially in an affair which relates to ourselves. I beg of you, therefore, to let us know what your intentions are with regard to us. Do you think that we can be safe in a crowd of veterans, who have thoughts, we hear, even of building the altar, which no man can desire or approve who loves our safety and honour? That we had no other view in the first but peace, nor sought any thing else but the public liberty, the event shews. Nobody can deceive us but you, which is not certainly agreeable to your virtue and integrity; but no man else has it in his power to deceive us. We are contented, and shall trust to you alone. Our friends are under the greatest apprehensions for us; for though they are persuaded of your integrity, yet they reflect, that a multitude of veterans may sooner be pushed on to any violence by others, than restrained by you. We desire an explicit answer to all particulars: for it is silly and trifling to tell us, that the veterans are gathered together, because you intend to move the senate in your law in June: for who do you think will hinder it, when

<sup>1</sup> *nam, quod cum Rempub. me auctore defendere cepisset, non modo depulsa, sed etiam quantum in ipso fuit, everterit.* Ad Att. 16. 15.

A. Urb. 709. Cic. 63. Com.—M. Antonius. P. Cornelius Dolabella.

it is certain that we shall not?—Nobody ought to think us fond of life, when nothing can happen to us, but with the risk and confusion of all things<sup>1</sup>."

During Cicero's stay in the country, where he had a perpetual resort of his friends to him, and where his thoughts seemed to be always employed on the republic, yet he found leisure to write several of those philosophical pieces, which still subsist both to the pleasure and benefit of mankind. For he now composed his *Treatise on the Nature of the Gods*, in three books, addressed to Brutus; containing the opinions of all the philosophers who had ever written any thing on that argument. In which he bespeaks the attention of his readers, as to a subject of the last importance; which would inform them, what they ought to think of religion, piety, sanctity, ceremonies, faith, oaths, temples, &c. since all these were included in that single question of the gods<sup>2</sup>. He drew up, likewise, his discourse on *Divination*, or the foreknowledge and prediction of future events, and the several ways by which it was supposed to be acquired or communicated to man: where he explains, in two books whatever could be said for and against the actual existence of the thing itself. Both these pieces are written in the way of dialogue; of which he gives the following account:—"Since Carneades," says he, "has argued both acutely and copiously against divination, in answer to the Stoics, I am now inquiring what judgment we ought to form concerning it; and, for fear of giving my assent rashly to a thing, either false in itself, or not sufficiently understood, I think it best to do

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

both worthy to be known to all, and peculiarly adapted to the case of their particular intimacy: “For, as I have already written on age, an old man to an old man; so now, in person of a sincere friend, I write on friendship to my friend.” This is written also in dialogue, the chief speaker of which is Lælius: who, in a conversation with his two sons-in-law, Fannius and Scævola, upon the death of P. Scipio, and the memorable friendship that had subsisted between them, took occasion, at their desire, to explain to them the nature and benefits of true friendship. Scævola, who lived to a great age and loved to retail his old stories to his scholars, used to relate to them, with pleasure, all the particulars of this dialogue which Cicero, having committed to his memory, dressed up in his own manner, in the present form<sup>1</sup>. Thus an agreeable book, which, when considered only as an introduction or essay, is one of the most entertaining pieces in Latin, must needs affect us more warmly, when it is found at last to be a history, or a picture drawn from the life, exhibiting real characters and sentiments of the best and greatest men of Rome. He now also wrote his discourse on Fate; which was the subject of a conversation with Hirtius, in his villa near Todi, where they spent several days together in May: and he is supposed to have finished, about the same time, a translation of Plato’s famous dialogue, called Timæus, on the Nature and Origin of the Universe.

But he was employing himself also upon a work of a different sort, which had been long upon his hands—A History of his Own Times, or rather of his own conduct; full of free and severe reflections on those who had abused their power, to the oppression of the republic, especially Cæsar and Crassus. As he calls his Anecdote: a work not to be published, but to be shewn only to a few friends, in the manner of Theopompus the historian, famed for his severe and invective style<sup>2</sup>. Atticus was urging him to put the last hand to it, and to continue it on through Cæsar’s government; but he chose to reserve the last part for a distinct history, in which he designed to delineate, at large, the justice of killing a tyrant. We meet in several hints of this design in his letters: in one to Atticus, he says, “I have not yet polished my Anecdote to my mind: so what you would have me to add, it will require a second time; but, believe me, I could speak more freely and with

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<sup>1</sup> Digna mihi res tum omnium cognitione, tum nostra familiaritate visa est—sed ut ad senem senex de Senectute, sic hoc libro ad amicum amicissimus de Amicitia scribit—et cum Scævola—exposuit nobis sermonem Lælii de amicitia, habitum ab illo, et cum altero genere C. Fannio, &c. De Amicit. l. 1.  
<sup>2</sup> Ad Att. 2. 6. Dion. Halic. Proem. l.

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less danger against that detested party, whilst the tyrant himself was alive, than now, when he is dead. For he, I know not why, indulged me wonderfully: but now, which way soever we stir, we are called back, not only to Cæsar's acts, but to his very thoughts."—Again: "I do not well understand what you would have me write: is it, that the tyrant was killed according to the strict laws of justice? Of that I shall both speak and write my thoughts fully on another occasion<sup>1</sup>." His other friends also seem to have had some notice of this work: for Trebonius, in a letter to him from Athens, after reminding him of his promise, to give him a place in some of his writings, adds, "I do not doubt, but that if you write any thing on the death of Cæsar, you will give me not the least share, both of that act, and of your affection<sup>2</sup>." Dion Cassius says, that he delivered this book, sealed up, to his son, with strict orders not to read or publish it till after his death; but, from this time, he never saw his son, and left the piece probably unfinished: though some copies of it afterwards got abroad, from which his commentator, Aconius, has quoted several particulars<sup>3</sup>.

In the end of May he began to move towards Rome, in order to assist at the senate on the first of June, and proposed to be at Tusculum on the twenty-sixth, of which he gave Atticus notice. There passed all the while a constant commerce of letters between him and Brutus, who desired a personal conference with him at Lanuvium: in which Cicero resolved to humour him, though he did not think it prudent at that time, when, without any particular use, it would only give

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desperately against all those who did not favour them; Græceius also admonished him, on the part of C. Cassius, to be upon his guard, for that certain armed men were provided for some attempt at Tusculum. All these informations determined him at last not to venture to the senate, but to withdraw himself from that city, where he had not only flourished, he says, with the greatest, but lived even a slave, with some dignity<sup>1</sup>. The major part of the senate followed his example, and fled out of the city, for fear of some violence, leaving the consuls, with a few of their creatures, to make what decrees they thought fit<sup>2</sup>.

This turn of affairs made Cicero resolve to prosecute what he had long been projecting, his voyage to Greece, to spend a few months with his son at Athens. He despaired of any good from these consuls, and intended to see Rome no more till their successors entered into office, in whose administration he began to place all his hopes. He wrote therefore to Dolabella, to procure him the grant of an honorary lieutenancy; and lest Antony, an angry man, as he calls him, should think himself slighted, he wrote to him too on the same subject. Dolabella immediately named him for one of his own lieutenants, which answered his purpose still better, for, without obliging him to any service, or limiting him to any time, it left him at full liberty to go wherever he pleased; so that he readily accepted it, and prepared for his journey<sup>3</sup>. He heard, in the mean while, from Balbus, that the senate would be held again on the fifth: when commissions would be granted severally to Brutus and Cassius, to buy up corn in Asia and Sicily, for the use of the republic: and that it would be decreed also, at the same time, that provinces should be assigned to them with the other prætors, at the expiration of the year<sup>4</sup>.

Their case, at this time, was very remarkable: it being wholly new in Rome to see prætors driven out of the city,

<sup>1</sup> Hirtius jam in Tusculano est: mihiq; ut absim, vehementer auctor est; et illo quidem periculi causa—Varro autem noster ad me epistolam misit—in qua scriptum erat, veteranos eos, qui rejiciantur—improbissime loqui; ut magno periculo Romæ sint futuri, qui ab eorum partibus dissentire videantur. Ibid. 5.

Græceius ad me scripsit, C. Cassium ad se scripsisse, homines comparari, qui in Tusculanum armati mitterentur.—Id quidem mihi non videbatur; sed cavendum tamen. Ibid. 8.

Mihi vero deliberatum est, ut nunc quidem est, abesse ex ea urbe, in qua non modo florui cum summa, verum etiam servivi cum aliqua dignitate. Ibid. 5.

<sup>2</sup> Kalendis Juniis cum in Senatum, ut erat constitutum, venire velleinus, metu perterriti repente diffugimus. Philip. 2. 42.

<sup>3</sup> Etiam scripsi ad Antonium de legatione, ne, si ad Dolabellam solum scripsissem, iracundus homo commoveretur. [Ad Att. 15. 8.] Sed heus tu,—Dolabella me sibi legavit, &c. Ibid. 11.

<sup>4</sup> A Balbo redditæ mihi litteræ, fore Nonis Senatum, ut Brutus in Asia, Cassius in Sicilia, frumentum emendum et ad urbem mittendum curarent. O rem miseram! ait, eodem tempore decretum iri, uti iis et reliquis Prætoris provinciæ decernantur. Ibid. 9.

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where their residence was absolutely necessary, and could not legally be dispensed with for above ten days in the year: but Antony readily procured a decree to absolve them from the laws<sup>1</sup>; being glad to see them in a situation so contemptible, stripped of their power, and suffering a kind of exile, and depending, as it were, upon him for their protection: their friends, therefore, at Rome, had been soliciting the senate for some extraordinary employment to be granted to them, to cover the appearance of a flight, and the disgrace of living in banishment, when invested with one of the first magistracies of the republic<sup>2</sup>.

This was the ground of the commission just mentioned, to buy corn; which seemed, however, to be below their character, and contrived as an affront to them by Antony, who affected still to speak of them always with the greatest respect<sup>3</sup>. But their friends thought any thing better for them than to sit still in Italy, where their persons were exposed to danger from the veteran soldiers, who were all now in motion; and that this employment would be a security to them for the present, as well as an opportunity of providing for their future safety, by enabling them to execute what they were now meditating, a design of seizing some provinces abroad, and arming themselves in defence of the republic; which was what their enemies were most afraid of, and charged them with publicly, in order to make them odious. Cicero, in the mean time, at their desire, had again recommended their interests to Hirtius, who gave him the following answer:—

“I wish that Brutus and Cassius could be prevailed with

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of what may be expected from them.” Cicero sent him word, that he would be answerable for their attempting nothing desperate: and was informed, at the same time, by Balbus, that Servilia, Brutus’s mother, had undertaken that they should not leave Italy<sup>1</sup>.

Servilia, though sister to Cato, had been one of Cæsar’s mistresses, and, next to Cleopatra, the most beloved of them all: in the civil war, he gave her several rich farms out of his Pompeian confiscations, and is said to have bought a single jewel for her at the price of about £50,000<sup>2</sup>. She was a woman of spirit and intrigue, in great credit with the Cæsarean party, and at this very time possessed the estate and villa of Pontius Aquila, one of the conspirators, which had been confiscated, and granted to her by Cæsar. Cicero reckons it among the solecisms of the times, that the mother of the tyrant-killer should hold the estate of one of her son’s accomplices<sup>3</sup>; yet she had such a share in all the counsels of Brutus, that it made Cicero the less inclined to enter into them, or to be concerned with one whom he could not trust: “When he is influenced so much,” says he, “by his mother’s advice, or at least her entreaties, why should I interpose myself<sup>4</sup>?”

At their desire, however, he went over to them at Antium, to assist at a select council of friends, called to deliberate on what was proper for them to do, with regard to this new commission. There were present, among others, Favonius, Servilia, Portia, Brutus’s wife, and his sister Tertulla, the wife of Cassius: Brutus was much pleased at his coming; and, after the first compliments, begged him to deliver his opinion to the company, on the subject of their meeting. Upon which he presently advised, what he had been considering on the road, that Brutus should go to Asia, and undertake the affair of the corn; that the only thing to be done at present was, to provide for their safety; that their safety was a certain benefit to the republic.—Here Cassius interrupted him, and, with great fierceness in his looks, protested that he would not go to Sicily, nor accept as a favour what was intended as an affront; but would go to Achaia.—Brutus said that he would go to Rome, if Cicero thought it proper for him: but Cicero declared it impossible for him to be safe there:—“But, supposing,” says he, “that I could be safe:” “Why then,” says

<sup>1</sup> Cui rescripsi nihil illos callidius cogitare, idque confirmavi—Balbus ad me—Serviliam confirmare non discessuros. Ad Att. 15. 6.

<sup>2</sup> Ante alias dilexit M. Bruti matrem Serviliam,—cui sexagies H. S. margaritam mercatus est, &c. Sueton. J. Cæs. 50.

<sup>3</sup> Quin etiam hoc ipso tempore multa ὑποσώλεια: Pontii Neapolitanum a matre tyrannoctoni possideri. Ad Att. 14. 21.

<sup>4</sup> Matris consilio cum utatur, vel etiam precibus, quid me interponam? Ibid. 15. 10.

A. Urb. 709. Cic. 63. Cos.—M. Antonius. P. Cornelius Dolabella.

Cicero, "I should advise it by all means, as the best thing which you could do, and better than any province." After much discourse, and complaining for the loss of their opportunities, for which Cassius laid all the blame on D. Brutus, Cicero said, that though that was true, yet it was in vain to talk of what was past; and, as the case then stood, he saw nothing left but to follow his advice: to which they all at last seemed to agree, especially when Servilia undertook, by her mediation, to get the affair of the corn left out of their commission: and Brutus consented that the plays and shows, with which he was to entertain the city, shortly, as prætor, should be given by proxy in his absence. Cicero took his leave, pleased with nothing in the conference but the consciousness of having done his duty; for as to the rest, he gave up all, he says, for lost; found the vessel, not only broken, but shattered to pieces; and neither prudence, reason, nor design in what they were doing: so that if he had any doubt before, he had none now, but longed to get abroad as soon as possible<sup>1</sup>.

Octavius, upon his coming to Rome, was very roughly received by Antony, who, despising his age and want of experience, was so far from treating him as Cæsar's heir, or giving him possession of his estate, that he openly threatened and thwarted him in all his pretensions, nor would suffer him to be chosen tribune, to which he aspired, with the seeming favour of the people, in the room of that Cinna who was killed at Cæsar's funeral<sup>2</sup>. This necessarily drew the regard of the republican party towards him, and Cicero began to take the

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

pany which interrupted him at his house near Baiæ, he removed to his Pompeian villa, on the south side of Naples. Here he began his Book of Offices, for the use and instruction of his son, designed, he says, to be the fruit of this excursion: he composed also an Oration, adapted to the state of the times, and sent it to Atticus, to be suppressed or published at his discretion, promising him, withal, to finish, and send him, in a short time, his secret history, or Anecdote, in the manner of Heraclides, to be kept close in his cabinet<sup>1</sup>.

Before he could leave Italy, he was obliged to return to Tusculum, to settle his private affairs, and provide his equipage, and wrote to Dolabella, to give orders for the mules and other necessities, which the government used to furnish to those who went abroad with a public character<sup>2</sup>. Here Atticus and he took leave of each other with all possible marks of the most sincere and tender affection. The unsettled condition of the times, and the uncertainty when, or in what circumstances, they should meet again, raised several melancholy reflections in them both, which, as soon as they parted, drew many tears from Atticus, of which he gave Cicero an account in his next letter, with a promise to follow him into Greece. Cicero answered him with equal tenderness: "It moved me," says he, "to hear of the tears which you shed after you left me: had you done it in my presence, I should have dropped, perhaps, all thoughts of my journey. That part, however, pleases me, where you comfort yourself with the hopes of our meeting again shortly; which expectation, indeed, is what chiefly supports me. I will write to you perpetually; give you an account of every thing which relates to Brutus; send you, very shortly, my Treatise on Glory, and finish for you the other work, to be locked up with your treasure<sup>3</sup>," &c.

<sup>1</sup> Nos hic φιλοσοφούμενα (quid enim aliud?) et τὰ περὶ τοῦ καθήκοντος magnifico explicamus, προσφωνοῦμενque Ciceroni; qua de re enim potius pater filio? Deinde alia. Quid quæres? Extabit opera peregrinationis hujus.—Ego autem in Pompeianum properabam, non quod hoc loco quidquam pulchrius, sed interpellatores illic minus molesti—.

Orationem tibi misi. Ejus custodiendæ et proferendæ arbitrium tuum—jam probò Ἡρακλείδιον, præsertim cum tu tantopere delectere—enitar igitur. Ad Att. 15. 13. it. 14.

<sup>2</sup> Ibid. 18.

<sup>3</sup> Te, ut a me discesseras, lacrymasse, moleste ferebam. Quod si me præsentem fecisses, consilium totius itineris fortasse mutassem. Sed illud præclare, quod te consolata est spes brevi tempore congregiendi: quæ quidem expectatio me maxime sustentat. Mæa tibi litteræ non deerunt. De Bruto scribam ad te omnia. Librum tibi celcriter mittam de Gloria. Excudam aliquid Ἡρακλείδιον, quod lateat in thesauris tuis. Ibid. 27.

N.B. The Treatise, here mentioned, on Glory, which he sent soon after to Atticus, and published in two books, was actually preserved, and subsisting, long after the invention of printing, yet happened to perish, unhappily, for want of being produced into public light by the help of that admirable art.—Raimundus Superantius made a present of it to Petrarch, who, as he tells the story, in one of his epistles, lent it to his school-master, who being old and poor, pawned it, for the relief of his necessities, into some unknown hand, whence Petrarch could never recover it, upon the old man's death.

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These little passages from familiar letters, illustrate more effectually the real characters of men, than any of their more specious and public acts.—It is commonly thought the part of a statesman to divest himself of every thing natural, and banish every passion that does not serve his interest or ambition:—but here we see a quite different character: one of the greatest statesmen of the world cherishing and cultivating in himself the soft and social affections of love and friendship, as knowing them to be designed equally by nature, for the comfort, as well of public as private life.

Atticus, likewise, whose philosophy was as incompatible as ambition with all affections that did not terminate in himself, was frequently drawn, by the goodness of his nature, to correct the viciousness of his principle. He had often reproved Cicero for an excess of love to his daughter Tullia, yet he no sooner got a little Attica of his own, than he began to discover the same fondness, which gave Cicero occasion to repay his railery with great politeness. “I rejoice,” says he, “to perceive that you take so much delight in your little girl. I love her already myself, and know her to be amiable, though I have never seen her.—Adieu then to Patro, and all your Epicurean school.” In another letter: “I am mightily pleased with the fondness that you express for your little daughter; and to see you feel, at last, that the love of our children does not flow from habit or fashion, but from nature: for if that be not so, there can be no natural conjunction between one man and another, without which all society must necessarily be dissolved.”

There was now great expectation of the show, and play

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It would be very improper for him, who had not been in Rome since it was filled with soldiers, not so much out of regard to his danger as his dignity, to run thither on a sudden to see plays: that, in such times as these, though it was reputable for those to give plays, whose office required it, yet for his seeing them, as it was not necessary, so neither would it be thought decent—<sup>1</sup>. He was heartily solicitous, however, that they might meet with all imaginable encouragement, and charged Atticus to send him a particular account of what passed, on each day, from their first opening.

The success of them answered all their hopes, for they were received with an incredible applause by all ranks, though Antony's brother Caius, as the next prætor in office, presided at them: one of the plays was Tereus, a tragedy of Accius; which, having many strokes in it on the characters and acts of tyrants, was infinitely clapped by the people. Atticus performed his part to Cicero, and sent him a punctual account of what passed every day; which he constantly communicated to Brutus, who was now in his neighbourhood—in Nesis, a little isle, on the Campanian shore, the seat of young Lucullus.—In his answer to Atticus, "Your letters," says he, "were very acceptable to Brutus: I spent several hours with him, soon after I received them: he seemed to be delighted with the account of Tereus; and thought himself more obliged to the poet Accius, who made it, than to the prætor Antony, who presided at it. But the more joy you send us of this sort, the more indignation it gives me to see the Roman people employ their hands in clapping plays, not in defending the republic. This, perhaps, may provoke our enemies to discover themselves, before they intended it; yet, if they be but mortified, I care not by what means."<sup>2</sup> In a speech made afterwards to the senate, he urges this judgment of the city, as a proper lesson to Antony, to teach him the way to glory. "O happy Brutus," says he, "who, when driven from Rome, by force of arms, resided still in the hearts and bowels of his citizens, who

<sup>1</sup> In quibus unum alienum summa sua prudentia, id est illud, ut spectem ludos suos. Rescripsi scilicet, primum me jam profectum, ut non integrum sit. Dein ἀποπώτατον esse, me, qui Romam omnino post hæc arma non accesserim, neque id tam periculi mei causa fecerim, quam dignitatis, subito ad ludos venire. Tali enim tempore ludos facere illi honestum est, cui necesse est: spectare mihi, ut non est necesse, sic ne honestum quidem est. Equidem illos celebrari, et esse quam gratissimos mirabiliter cupio. Ibid. 15. 26.

<sup>2</sup> Bruto tuæ litteræ gratæ erant. Fui enim apud illum multas horas in Neside, cum paullo ante tuas litteras accepissem. Delectari mihi Tereus videbatur; et habere majorem Accio, quam Antonio, gratiam. Mihi autem quo lætiora sunt, eo plus stomachi et molestiæ est, populum Romanum manus suas, non in defendenda Repub. sed in plaudendo consumere. Mihi quidem videntur istorum animi incendi etiam ad representandam improbitatem suam. Sed tamen dum modo doleant aliquid, doleant quodlibet. Ibid. 16. 2.

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made themselves amends for the absence of their deliverer, by their perpetual applauses and acclamations<sup>1</sup>."

But there was one thing, which, through the inadvertency of Brutus's managers, or the contrivance of the prætor Antony, gave Brutus some uneasiness; that, in the edict for proclaiming his shows, the month, instead of Quintilis, was styled July, by its new name, lately given to it in honour of Caesar: for it raised great speculation, and was thought strange, that Brutus, by edict, should acknowledge and confirm an act, contrived to perpetuate the honour of tyranny. This little circumstance greatly disturbed him, imagining, that it would be reflected upon as a mean condescension; and since it could not be remedied as to the plays, he resolved to correct it for the rest of the shows; and gave immediate orders, that the huntings of the wild beasts, which were to follow, should be proclaimed for the thirteenth of Quintilis<sup>2</sup>.

While Cicero continued in these parts, he spent the greatest share of his time with Brutus: and as they were one day together, L. Libo came to them, with letters just received from young S. Pompey, his son-in-law, with proposals of an accommodation, addressed to the consuls, on which he desired their opinion. Cicero thought them drawn up with great gravity and propriety of expression, excepting a few inaccuracies, and advised only to change the address; and, instead of the consuls, to whom alone they were directed, to add the other magistrates, with the senate and people of Rome, lest the consuls should suppress them, as belonging only to themselves. These letters brought in substance, that Pompey was now master of every

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awn off from attending to the main point in view, the event affairs in Italy; for which purpose, on pretence of the public iet, he made the offer of a treaty and honourable terms to mpey, and that, on condition of laying down his arms, and itting the province, he should be restored to all his estates d honours, and have the command of the whole naval power Rome, in the same manner as his father had it before him : . which was proposed and recommended to the senate by stony himself<sup>1</sup>. Where, to preserve a due respect to Cæsar's ts, by which Pompey's estates had been confiscated, it is decreed, that the same sum for which they had been ld, should be given to him by the public to enable him to rchase them again. This amounted to above five millions d a half of our money, exclusive of his jewels, plate, and rniture; which being wholly embezzled, he was content to e<sup>2</sup>. On these terms, ratified by the authority of the senate, mpey actually quitted Spain, and came to Marseilles. The oject was wisely concerted by Lepidus and Antony; for ile he carried a show of moderation, and disposition to ace, it disarmed a desperate enemy, who was in condition to re a great obstruction to their designs, and diversion to their ns, at a time when the necessity of their interests required air presence and whole attention at home, to lay a firm ndation of their power, in the heart and centre of the ipire.

There happened an incident at this time of a domestic kind ich gave some pleasure both to Cicero and Atticus: the un- pected conversion of their nephew Quintus. He had long o deserted his father and uncle, and attached himself wholly Cæsar, who supplied him liberally with money: on Cæsar's ath he adhered still to the same cause, and was in the utmost nfidence with Antony; and, as Atticus calls him, his right nd<sup>3</sup>; or the minister of all his projects in the city: but upon ne late disgust, he began to make overtures to his friends, coming over to Brutus, pretending to have conceived an horrence of Antony's designs; and signifying to his father, at Antony would have engaged him to seize some strong st in the city, and declare him dictator, and, upon his refusal,

App. p. 528. Dio, l. 45. 475.

Salvis enim actis Cæsaris, quæ concordiae causa defendimus, Pompeio sua domus sbit, eamque non minoris, quam Antonius emit, redimet—decrevistis tantam pecuniam mpeio, quantam ex bonis patriis in prædæ dissipatione inimicus victor redeget— a, argentum, vestem, supellectilem, vinum amittet æquo animo, quæ ille helluo dissi- it—atque illud septies millies, quod adolescenti, Patris conscripti, spondestis, ita cribetur, ut videatur a vobis Cn. Pompeii filius in patrimonio suo collocatus. Philip. 5.

Quintus filius, ut scribis, Antonii est dextella. Ad Att. 14. 20.

A. U. C. 702. Cic. 63. Com.—M.

was become his enemy<sup>1</sup>. The carried his son to Cicero, to per to beg his intercession also with but Cicero, who knew the fickl gave little credit to him; taking to draw money from them: yet, i he wrote what they desired to letter, at the same time, with his

"Our nephew Quintus," on Cato. Both his father and he would undertake for him to yo believe him, till you yourself ha give him, therefore, such a lette let it not move you, for I have imagine that I am moved mys may perform what he promises; us all. I will say nothing more

But young Quintus got the suspicions; and, after spending vinced him, by his whole beba was in earnest: so that he not affectionately to Atticus, but p make the offer of his service to not wholly persuaded me," says him is certainly true, I should r to tell you; for I carried the was so well satisfied with him,

A. Urb. 709. Cic. 63. Coss. — M. Antonius. P. Cornelius Dolabella.

I and sincerity, was so hardy, before the end of the year, as undertake to accuse Antony to the people, for plundering temple of Opis<sup>1</sup>. But this accident of changing his party, which gave so much joy at present to the whole family, though owing rather to a giddiness of temper than any good principle, proved fatal, not long after, both to the young man and his father; as it seems to have been the most probable cause of his being proscribed and murdered the year following, by Antony's order, together with Cicero himself.

Cicero was now ready for his voyage, and had provided three little yachts or gallies to transport himself, and his attendants: as there was a report of legions arriving daily from abroad, and of pirates also at sea, he thought it would be safer to sail in company with Brutus and Cassius, who had drawn together a fleet of good force, which now lay upon the coast<sup>2</sup>. He gave several hints of this design to Brutus, who received it more coolly than he expected; and seemed uncertain and irresolute about the time of his own going. He resolved, therefore, to depart without farther delay, though in some perplexity to the people, about the expediency of the voyage, and jealous of its being censured, as a desertion of his country: but Atticus revived his spirits, by assuring him, constantly, in his letters, that all people approved it at Rome, provided that he kept his word of returning by the first of the new year<sup>3</sup>.

He sailed slowly along the coast towards Rhegium, going ashore every night to lodge with some friend or client: he went one day at Velia, the native place of Trebatius; whence he wrote a kind letter to him, dated the nineteenth of July, advising him by no means to sell that family estate, as he then resided, situated so healthfully and agreeably, and affording a convenient retreat from the confusion of the times, among a people, who entirely loved him<sup>4</sup>. At this place he began his treatise of Topics, or the art of finding arguments on any question: it was an abstract of Aristotle's piece on the same subject; which Trebatius happening once to meet with in Cicero's Tusculan library, had begged of him to explain. But Cicero never found

Quintus scribit, se ex Nonis iis, quibus nos magna gessimus, Ædem Opis explicaturum, idque ad populum. Ibid. 14.

Legiones enim adventare dicuntur. Hæc autem navigatio habet quasdam suspiciones belli. Itaque constituebam uti ὁμοπλοία. Paratiorem offendi Brutum, quam audieram. — Nam Cassii classem, quæ plane bella est, non numero ultra fretum. Ibid. 16. 4.

Bruto cum sæpe injecissem de ὁμοπλοία, non perinde atque ego putaram, arripere se est. — [Ibid. 5.] Consilium meum quod ais quotidie magis laudari, non moleste fero; sed et stabamque, si quid ad me scriberes. Ego enim in varios sermones incidebam. Quin et idcirco trahebam, ut quam diutissime integrum esset. [Ibid. 2. It. Ep. Fani. 11.]

Scribis enim in cælum ferri profectionem meam, sed ita, si ante Kal. Jan. redeam. Id quidem certe enitar. [Ibid. 6.] Ea mente discessi, ut adessem Kalendis Jan. et initium cogendi Senatus fore videbatur. Philip. 1. 2.

Ep. Fam. 7. 20.

A. Urb. 769. Cic. 63. Com.—M. Antonina. P. Cornelius Del

leisure for it till this voyage, in which he was reminded by the sight of Velia; and though he had neither nor any other book to help him, he drew it up from his mind and finished it as he sailed, before he came to Rhegium he sent it to Trebatius, with a letter dated the twenty-first. He excuses the obscurity of it from the nature of the subject, requiring great attention to understand, and great labour to reduce it to practice: in which, however, he prays to assist him, if he lived to return, and found the repetition 'sisting'.

In the same voyage, happening to be looking over the title on the Academic Philosophy, he observed that the third book to be the same that he had prefixed to the first on Glory, which he had lately sent to Atticus. In custom, it seems, to prepare at leisure a number of proems, adapted to the general view of his studies, and to be applied to any of his works, which he should publish; so that by mistake he had used this prefix without remembering it: he composed a new one, on ship-board, for the piece on Glory, and sent it to him with orders to bind it up with his copy in the place of the former preface'. So wonderful was his industry and letters, that neither the inconvenience of sailing, nor always hated, nor the busy thoughts which must necessarily upon him, on leaving Italy in such a conjuncture, could disturb the calm and regular pursuit of his studies.

From Rhegium, or rather Leucopetra, a promontory

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

him, and under his special protection; but he was unwilling to give umbrage or suspicion to those at Rome, of having any views abroad, which concerned the republic<sup>1</sup>: he set sail, therefore, again the next morning towards Greece, but was driven back, by contrary winds, to Leucopetra; and, after a second attempt, with no better success, was forced to repose himself in the villa of his friend Valerius, and wait for the opportunity of a fair wind<sup>2</sup>.

Here the principal inhabitants of the country came to pay him their compliments: some of them fresh from Rome, who brought great news of an unexpected turn of affairs there, towards a general pacification; that Antony seemed disposed to listen to reason, to desist from his pretensions to Gaul, submit to the authority of the senate, and make up matters with Brutus and Cassius, who had written circular letters to all the principal senators, to beg their attendance in the senate on the first of September, and that Cicero's absence was particularly regretted, and even blamed, at such a crisis<sup>3</sup>. This agreeable account of things made him presently drop all thoughts of pursuing his voyage, in which he was confirmed likewise by letters from Atticus, who, contrary to his former advice, pressed him now, in strong and pathetic terms, to come back again to Rome.

He returned, therefore, by the same course which he had before taken, and came back to Velia on the seventeenth of August: Brutus lay within three miles of it, with his fleet, and hearing of his arrival, came immediately on foot to salute him: he declared himself exceedingly pleased with Cicero's return; owned that he had never approved, though he had not dissuaded, the voyage, thinking it indecent to give advice to a man of his experience, but now told him, plainly, that he had escaped two great imputations on his character; the one, of too hasty a despair and desertion of the common cause; the other of the vanity of going to see the Olympic games. This last, as Cicero says, would have been shameful for him, in any state of the republic; but, in the present, unpardonable; and professes himself, therefore, greatly obliged to the winds, for

<sup>1</sup> Kalendis sextil. veni Syracusas—quæ tamen urbs mihi conjunctissima, plus una nocte cupiens retinere non potuit. Veritus sum, ne meus repentinus ad meos necessarios adventus suspicionis aliquid afferret, si essem commoratus. Philip. 1. 3.

<sup>2</sup> Cum me ex Sicilia ad Leucopetram, quod est promontorium agri Rhegini, venti detulissent: ab eo loco conscendi, ut transmitterem; nec ita multum proventus, rejectus nostro sum in eum ipsum locum—[Ibid.] ibi cum ventum expectarem: erat enim villa Valerii nostri, ut familiariter essem, et libenter. Ad Att. 16. 7.

<sup>3</sup> Rhegini quidam, illustres homines eo venerunt, Roma sane recentes—hæc afferebant, edictum Bruti et Cassii; et fore frequentem Senatum Kal.; a Bruto et Cassio litteras missas ad Consulares et Prætorios, ut adessent, rogare. Summam spem nuntiabant, fore, ut Antonius cederet, res conveniret, nostri Romam redirent. Addebant etiam me desiderari, subaccusari, &c. Ibid.

A. Urb. 709. Cæ. 63. Cons.—M. Antonius, P. Cornelius Dolabella

preserving him from such an infamy, and like good citizens blowing him back to the service of his country<sup>1</sup>.

Brutus informed him, likewise, of what had passed in the senate, on the first of August, and how Piso had signified himself, by a brave and honest speech, and some vigorous motions in favour of the public liberty, in which nobody had the courage to second him: he produced also Antony's answer to it, which pleased Cicero very much on the whole, though he was still satisfied with his resolution of returning, yet he found no such reason for it as his first intelligence had suggested, nor any hopes of doing much service in Rome, where there was not one senator who had the courage to support Piso, nor Piso himself the resolution to appear before the senate again the next day.

This was the last conference that he ever had with Brutus, who, together with Cassius, left Italy soon after it: they were both to succeed, of course, as all prætors did, at the expiration of their office, to the government of some province, which was assigned to them either by lot, or by an extraordinary decree of the senate. Cæsar had intended Macedonia for Brutus and Syria for the other; but as these were two of the most important commands of the empire, and would throw a great power into their hands at a time when their enemies were taking measures to destroy them, so Antony contrived to have two other provinces decreed to them of an inferior rank, Crete to Brutus, and Cyrene to Cassius, and by a law passed by the people, procured Macedonia and Syria to be conferred on himself, and his colleague, Dolabella; in consequence of

A. Urb. 709. Cic. 63. Com.—M. Antonius. P. Cornelius Dolabella.

sentus to Macedonia, Cassius to Syria, where we shall soon have occasion to give a farther account of their success<sup>1</sup>.

Cicero, in the meanwhile, pursued his journey towards Rome, where he arrived on the last of the month; on his approach to the city, such multitudes flocked out to meet him, that the whole day was spent in receiving the compliments and congratulations of his friends, as he passed along to his house<sup>2</sup>. The senate met the next morning, to which he was particularly summoned by Antony, but excused himself by a civil message, as being too much indisposed by the fatigue of his journey. Antony took this as an affront, and, in great rage, threatened, openly in the senate, to order his house to be pulled down, if he did not come immediately: till, by the interposition of the assembly, he was dissuaded from using any violence<sup>3</sup>.

The business of the day was to decree some new and extraordinary honours to the memory of Cæsar, with a religious supplication to him, as to a divinity; Cicero was determined not to concur in it, yet knew that an opposition would not only be fruitless, but dangerous; and for that reason staid away. Antony, on the other hand, was desirous to have him there, fancying that he would either be frightened into a compliance, which would lessen him with his own party, or, by opposing what was intended, make himself odious to the soldiery; but as he was absent, the decree passed without any contradiction.

The senate met again the next day, when Antony thought fit to absent himself, and leave the stage clear to Cicero<sup>4</sup>; who accordingly appeared, and delivered the first of those speeches, which, in imitation of Demosthenes, were called afterwards his Philippics—he opens it with a particular account of the motives of his late voyage and sudden return; of his interview with Brutus, and his regret at leaving him: “at Velia,” says he, “I saw Brutus: with what grief I saw him, I need not tell you; I could not but think it scandalous for me to return to a city, from which he was forced to retire, and to find myself safe in any place, where he could not be so; yet Brutus was not half so much moved with it as I, but supported by the consciousness of his noble act, shewed not the least concern for his own case, while he expressed the greatest for your’s.”—He then declares, that he came to second Piso; and, in case of any

<sup>1</sup> Plut. in Brut. App. 527. 533. Philip. 2. 13. 38.

<sup>2</sup> Plut. in Cic.

<sup>3</sup> Cumque de via languerem, mihi que displicerem, nisi pro amicitia qui hoc ei diceret, at ille, vobis audientibus, cum fabris, se domum meam venturum esse dixit, &c. Philip. 1. 5.

<sup>4</sup> Veni postridie, ipse non venit. Ibid. 5. 7.

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accidents, of which many seemed to surround him, to that day's speech as a monument of his perpetual fidelity to his country<sup>1</sup>. Before he enters upon the state of the republic he takes occasion to complain of the unprecedented violence of Antony's treatment of him the day before, who would have been better pleased with him, had he been present; should never have consented to pollute the republic with a detestable a religion, and blend the honours of the gods with those of a dead man: he prays the gods to forgive the senate and the people for their forced consent to it—he would never have decreed it, though it had been to old himself, who first delivered Rome from regal tyranny, the distance of five centuries, had propagated a race from the same stock, to do their country the same service<sup>2</sup>. He thanks to Piso for what he had said in that place the day before: wishes that he had been present to second him; reproves the other consuls for betraying their dignity by deserting him.—As to the public affairs, he dwells chiefly on Antony's abuse of their decree, to confirm Caesar's acts; declares himself still for the confirmation of them, not that he liked them, but for the sake of peace; yet, of the genuine only, such as Caesar himself had completed; not the imitations, notes and memorandums of his pocket books; not every word of his writing; or what he had not even written, but only, and that without a voucher—he charges Antony with a strange inconsistency, in pretending such a zeal for the laws, yet violating the most solemn and authentic of the laws; of which he gives several examples; thinks it intolerable

A. Urb. 709. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

against his will, though free from personal injury ; if so, he must bear it as well as he could—then, after touching on their plundering the Temple of Opis, of those sums which might have been of great service to the state, he observes, that whatever the vulgar might think, money was not the thing which they aimed at ; that their souls were too noble for that, and had greater designs in view<sup>1</sup> ; but they quite mistook the road to glory, if they thought it to consist in a single man's having more power than a whole people—that to be dear to our citizens, to deserve well of our country, to be praised, respected, beloved, was truly glorious ; to be feared and hated, always invidious, detestable, weak, and tottering—that Cæsar's fate was a warning to them, how much better it was to be loved than to be feared : that no man could live happy, who held life on such terms that it might be taken from him, not only with impunity, but with praise<sup>2</sup>. He puts them in mind of the many public demonstrations of the people's disaffection to them, and their constant applauses and acclamations to those who opposed them, to which he begs them to attend with more care, in order to learn the way how to be truly great and glorious.—He concludes, by declaring, that he had now reaped the full fruit of his return, by giving this public testimony of his constant adherence to the interests of his country : that he would use the same liberty oftener, if he found that he could do it with safety : if not, would reserve himself, as well as he could, to better times, not so much out of regard to himself, as to the republic.

In speaking afterwards of this day's debate, he says, that whilst the rest of the senate behaved like slaves, he alone shewed himself to be free ; and though he spoke, indeed, with less freedom than it had been his custom to do, yet it was with more than the dangers, with which he was threatened, seemed to allow<sup>3</sup>. Antony was greatly enraged at his speech, and summoned another meeting of the senate for the nineteenth, where he again required Cicero's attendance, being resolved to answer him in person, and, justify his own conduct : for which end he employed himself, during the interval, in preparing the materials of a speech, and declaiming against Cicero, in his villa near Tibur. The senate met on the appointed day, in the Temple of Concord, whither Antony came with a strong guard, and in great expectation of meeting Cicero, whom he had endeavoured, by artifice, to draw thither : but

<sup>1</sup> Ibid. 12.

<sup>2</sup> Ibid. 14.

<sup>3</sup> Locutus sum de Repub. minus equidem libere, quam mea consuetudo, liberius tamen quam periculi minæ postulabant. Ibid. 5. 7.

In summa reliquorum servitute liber unus fui. Ep. Fam. 12. 25.



A. Urb. 709. Cic. 63. Cosm.—M. Antonius. P. Cornelius Dolabella.

in case of a rupture, for which alone the piece was calculated, ~~either~~ Antony or the republic must perish; and he was determined to risk his own life upon the quarrel, nor bear the indignity of outliving a second time the liberty of his country.

He sent a copy of this speech to Brutus and Cassius, who were infinitely pleased with it: they now at last clearly saw, that Antony meditated nothing but war, and that their affairs were growing daily more and more desperate; and being resolved, therefore, to leave Italy, they took occasion, a little before their departure, to write the following letter in common to Antony.

“BRUTUS AND CASSIUS, PRÆTORS, TO ANTONY, CONSUL.

“If you are in good health, it is a pleasure to us. We have read your letter, exactly of a piece with your edict, abusive, threatening, wholly unworthy to be sent from you to us. For our part, Antony, we have never done you any injury; nor imagined that you would think it strange, that prætors, and men of our rank, should require any thing by edict of a consul: but if you are angry that we have presumed to do it, give us leave to be concerned, that you would not indulge that privilege, at least, to Brutus and Cassius: for as to our raising troops, exacting contributions, soliciting armies, sending expresses beyond sea; since you deny that you ever complained of it, we believe you; and take it as a proof of your good intention: we do not, indeed, own any such practices; yet think it strange, when you objected nothing of that kind, that you could not contain yourself from reproaching us with the death of Cæsar. Consider with yourself, whether it is to be endured, that, for the sake of the public quiet and liberty, prætors cannot depart from their rights by edict, but the consul must presently threaten them with arms. Do not think to frighten us with such threats; it is not agreeable to our character to be moved by any danger: nor must Antony pretend to command those, by whose means he now lives free. If there were other reasons to dispose us to raise a civil war, your letter would have no effect to hinder it: for threats can have no influence on those who are free. But you know, very well, that it is not possible for us to be driven to any thing against our will; and, for that reason, perhaps, you threaten, that whatever we do, it may seem to be the effect of fear. These, then, are our sentiments: we wish to see you live with honour and splendour in a free republic; have no desire to quarrel with you; yet value our liberty more than your friendship. It is your business to consider again and again what you attempt, and what you can maintain; and to reflect, not how long Cæsar lived,

A. Urb. 709. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

but how short a time he reigned : we pray the gods, that your counsels may be salutary, both to the republic and to yourself; if not, wish, at least, that they may hurt you as little as may consist with the safety and dignity of the republic<sup>1</sup>."

Octavius perceived, by this time, that there was nothing to be done for him in the city against a consul, armed with superior power, both civil and military; and was so far provoked by the ill usage which he had received, that in order to obtain a stratagem, what he could not gain by force, he formed a design against Antony's life, and actually provided certain slaves to assassinate him, who were discovered and seized with the poignards in Antony's house, as they were watching an opportunity to execute their plot. The story was supposed, by many, to be forged by Antony, to justify his treatment of Octavius, and his depriving him of the estate of his uncle; but all men of sense, as Cicero says, both believed and applauded it: and the greatest part of the old writers treat it as an undoubted fact<sup>2</sup>.

They were both of them equally suspected by the senate, but Antony more immediately dreaded, on account of his superior power, and supposed credit with the soldiers, whom he had served with, through all the late wars, and on several occasions commanded. Here his chief strength lay; and to ingratiate himself the more with them, he began to declare himself more and more openly every day against the conspirators: threatening them in his edicts, and discovering his resolution to revenge the death of Cæsar; to whom he erected statues in the forum, and inscribed in Latin, "The

A. Urb. 709. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

advice: and, by outbidding Antony, in all his offers and proposals to them, met with greater success than was expected, so as to draw together, in a short time, a firm and regular army of veterans, completely furnished with all necessaries for present service. But as he had no public character to justify this conduct, which, in regular times, would have been deemed unreasonable, so he paid the greater court to the republican chiefs, in hopes to get his proceedings authorized by the senate; and, by the influence of his troops, procure the command of the war to himself: he now, therefore, was continually pressing Cicero, by letters and friends, to come to Rome, and support him, with his authority, against their common enemy, Antony; promising to govern himself, in every step, by his advice.

But Cicero could not yet be persuaded to enter into his affairs: he suspected his youth and want of experience, and that he had not strength enough to deal with Antony: and, above all, that he had no good disposition towards the conspirators: he thought it impossible that he should ever be a friend to them, and was persuaded rather, that, if ever he got the upper hand, his uncle's acts would be more violently enforced, and his death more cruelly revenged, than by Antony himself<sup>1</sup>. These considerations withheld him from an union with him, till the exigencies of the republic made it absolutely necessary; nor did he consent at last, without making it an express condition, that Octavius should employ all his forces in defence of the common liberty, and particularly of Brutus and his accomplices, where his chief care and caution still was, to arm him only with a power sufficient to oppress Antony, yet so checked and limited, that he should not be able to oppress the republic.

This is evident from many of his epistles to Atticus: "I had a letter," says he, "from Octavianus, on the first of November: his designs are great: he has drawn over all the veterans of Casilinum and Calatia; and no wonder;—he gives sixteen pounds a man. He proposes to make the tour of the other colonies: his view plainly is, to have the command of the war against Antony; so that we shall be in arms in a few days. But which of them shall we follow? Consider his name; his age: he begs to have a private conference with me at Capua or near it: it is childish to imagine that it could be private: I gave him to understand, that it was neither necessary nor prac-

<sup>1</sup> Valde tibi assentior, si multum possit Octavianus, multo firmitus acta Tyranni comprobaturum iri, quam in Telluris, atque id contra Brutum fore—sed in isto Juvene quamquam animi satis, auctoritatis parum est. Ad Att. 16. 11.

A. Urb. 709. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

ticable. He sent to me one Cæcina of Volaterræ, who brought word, that Antony was coming towards the city, with the legion of the Alaudæ<sup>1</sup>: that he raised contributions from all the great towns, and marched with colours displayed: he asked my advice, whether he should advance before him to Rome, with three thousand veterans, or keep the post of Capua, and oppose his progress there, or go to the three Macedonian legions, who were marching along the upper coast, and are, as he hopes, in his interest—they would not take Antony's money, as this Cæcina says, but even affronted and left him, while he was speaking to them. In short, he offers himself for our leader, and thinks that we ought to support him. I advised him to march to Rome: for he seems likely to have the meaner people on his side, and, if he makes good what he promises, the better sort too. O Brutus, where art thou? What an opportunity dost thou lose? I did not, indeed, foresee this, yet thought that something like it would happen. Give me your advice: shall I come away to Rome, stay where I am, or retire to Arpinum? where I shall be the safest. I had rather be at Rome, lest if any thing should be done, I should be wanted: resolve, therefore, for me: I never was in greater perplexity<sup>2</sup>."

Again:—"I had two letters, the same day, from Octavius: he presses me to come immediately to Rome: is resolved, he says, to do nothing without the senate. I tell him, that there can be no senate till the first of January, which I take to be true: he adds, also, nor without my advice.—In a word, he urges: I hang back. I cannot trust his age, do not know his

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

**undertake his affairs; to come to him at Capua; to save the state a second time: he resolves to come directly to Rome.**

“Urg’d to the fight, ’tis shameful to refuse,  
Whilst fear yet prompts the safer part to choose.”—Hom. Il. 7.

“He has hitherto acted, and acts still with vigour, and will come to Rome with a great force. Yet he is but a boy: he thinks the senate may be called immediately: but who will come?—or, if they do, who, in this uncertainty of affairs, will declare against Antony?—he will be a good guard to us on the first of January; or, it may come, perhaps, to blows before. The great towns favour the boy strangely: they flock to him from all parts, and exhort him to proceed: could you ever have thought it<sup>1</sup>? There are many other passages of the same kind, expressing a diffidence of Octavius, and inclination to sit still, and let them fight it out between themselves; till the exigency of affairs made their union at last mutually necessary to each other.

In the hurry of all these politics, he was prosecuting his studies still, with his usual application, and, besides the second Philippic, already mentioned, now finished his book of Offices, or the Duties of Man, for the use of his son<sup>2</sup>; a work admired by all succeeding ages, as the most perfect system of heathen morality, and the noblest effort and specimen of what mere reason could do, towards guiding man through life with innocence and happiness. He now also drew up, as it is thought, his Stoical Paradoxes, or an illustration of the peculiar doctrines of that sect, from the examples and characters of their own countrymen, which he addressed to Brutus.

Antony left Rome about the end of September, in order to meet, and engage to his service, four legions from Macedonia, which had been sent thither by Cæsar, on their way towards Parthia, and were now, by his orders, returning to Italy. He thought himself sure of them, and by their help to be master of the city: but, on his arrival at Brundisium on the eighth of October, three of the legions, to his great surprise, rejected all his offers, and refused to follow him. This affront so enraged him, that, calling together all the centurions, whom he suspected to be the authors of their disaffection, he ordered them to be massacred in his own lodgings, to the number of three hundred, while he and his wife Fulvia stood calmly looking on, to satiate their cruel revenge by the blood of these brave men: after which he marched back towards Rome by the Appian Road, at the head of the single legion which submitted to him,

<sup>1</sup> Ibid. 11.

<sup>2</sup> Ibid.

A. Urb. 799. Clc. 63. Com.—M. Antonius. P. Cornelius Dolabella.

whilst the other three took their route along the Adriatic coast, without declaring yet for any side<sup>1</sup>.

He returned full of rage both against Octavius and the republicans, and determined to make what use he could of the remainder of his consulship, in wresting the provinces and military commands out of the hands of his enemies, and distributing them to his friends. He published, at the same time, several fierce and threatening edicts, in which he gave Octavius the name of Spartacus; reproached him with the ignobleness of his birth; charged Cicero with being the author of all his counsels; abused young Quintus as a perfidious wretch, who had offered to kill both his father and uncle; forbade three of the tribunes, on pain of death, to appear in the senate, Q. Cassius, the brother of the conspirator, Carfulenus, and Canutius<sup>2</sup>. In this humour, he summoned the senate on the twenty-fourth of October, with severe threats to those who should absent themselves; yet he himself neglected to come, and adjourned it, by edict, to the twenty-eighth: but while all people were in expectation of some extraordinary decrees from him, and of one particularly, which he had prepared, to declare young Cæsar a public enemy<sup>3</sup>, he happened to receive the news that two of the legions from Brundisium, the fourth, and that which was called the martial, had actually declared for Octavius, and posted themselves at Alba, in the neighbourhood of Rome<sup>4</sup>. This shocked him so much, that instead of prosecuting what he had projected, he only huddled over, what nobody opposed, a decree of a supplication to Lepidus: and the same evening, after he had distributed to his friends, by a pretended allot-

A. Urb. 709. Clæ. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

with precipitation, to put himself at the head of his army, and possess himself, by force, of Cisalpine Gaul, as-  
signed to him by a pretended law of the people against the  
of the senate<sup>1</sup>.

On the news of his retreat, Cicero presently quitted his  
and the country, and set out towards Rome: he seemed  
called by the voice of the republic to take the reins  
more into his hands. The field was now open to him:  
was not a consul, and scarce a single prætor in the city,  
any troops from which he could apprehend danger. He  
on the ninth of December, and immediately con-  
sulted with Pansa, for Hirtius lay very ill, about the mea-  
sures proper to be taken on their approaching entrance into  
his consulship.

Before his leaving the country, Oppius had been with him,  
to press him again to undertake the affairs of Octavius, and  
his protection of his troops; but his answer was, that he could  
not consent to it, unless he were first assured that Octavius  
would not only be no enemy, but even a friend to Brutus:  
but he could be of no service to Octavius till the first of  
January, and there would be an opportunity before that time  
of trying Octavius's disposition in the case of Casca, who had  
been named by Cæsar to the tribunate, and was to enter upon  
it on the tenth of December: for, if Octavius did not oppose  
or disturb his admission, that would be a proof of his good  
intentions<sup>2</sup>. Oppius undertook for all this, on the part of  
Octavius, and Octavius himself confirmed it, and suffered  
Casca, who gave the first blow to Cæsar, to enter quietly into  
his office.

The new tribunes, in the mean time, in the absence of the  
superior magistrates, called a meeting of the senate on the  
nineteenth: Cicero had resolved not to appear there any more,  
till he should be supported by the new consuls: but happening  
to receive the day before the edict of D. Brutus, by which he  
prohibited Antony the entrance of his province, and declared  
that he would defend it against him by force, and preserve it  
in its duty to the senate, he thought it necessary, for the public

<sup>1</sup> Fugere festinans S. C. de supplicatione per discessionem fecit—. Præclara tamen  
S. Clæ. eo ipso die vespertina; provinciarum religiosa sortitio—L. Lentulus et P. Naso  
—nullam se habere provinciam, nullam Antonii sortitionem fuisse judicarunt. Ibid.  
2.9, 10.

<sup>2</sup> Sed ut scribis, certissimum esse video discrimen Cascæ nostri Tribunatum: de quo  
quidem ipso dixi Oppio, cum me hortaretur, ut adolescentemque totamque causam,  
mentumque veteranorum complecterer, me nullo modo facere posse, ni mihi exploratum  
esset, cum non modo non inimicum tyrannoctonis, verum etiam amicum fore; cum ille  
diceret, ita futurum. Quid igitur festinamus? inquam. Illi enim mea opera ante Kal.  
Jan. nihil opus est. Nos autem ante Id. Decemb. ejus voluntatem perspiciemus in  
Casca. Mibi valde assensus est. Ad Att. 16. 15.

A. Urb. 709. Cic. 63. Cons. — M. Antonius. P. Cornelius Dolabella.

service, and the present encouragement of Brutus, to procure as soon as possible, some public declaration in his favour he went, therefore, to the senate very early, which, being assembled by the other senators, presently drew together a full house, in expectation of hearing his sentiments in so nice and critical a situation of public affairs<sup>1</sup>.

He saw the war actually commenced in the very bowels of Italy, on the success of which depended the fate of Rome: Gaul would certainly be lost, and with it, probably, the republic, if Brutus was not supported against the superior force of Antony: that there was no way of doing it so ready and effectual, as by employing Octavius and his troops: and though the entrusting him with that commission would throw a dangerous power into his hands, yet it would be controlled by the equal power and superior authority of the two consuls who were to be joined with him in the same command.

The senate being assembled, the tribunes acquainted them that the business of that meeting was, to provide a guard for the security of the new consuls, and the protection of the senate, in the freedom of their debates; but that they gave a liberty withal of taking the whole state of the republic into consideration. Upon this Cicero opened the debate, and represented to them the danger of their present condition, and the necessity of speedy and resolute counsels against an enemy, who lost no time in attempting their ruin. That they had been ruined, indeed, before, had it not been for the courage and virtue of young Cæsar, who, contrary to all expectation, and without being even desired to do, what no man thought possible for him to do, had, by his private authority and expense, raised a strong army of veterans, and baffled the designs

A. Urb. 709. Cic. 63. Cœs.—M. Antonius. P. Cornelius Dolabella.

men born for the good of the republic; the imitator of his  
 fathers; nay, had even exceeded their merit; for the first  
 time expelled a proud king—he a fellow subject, far more  
 wicked and profligate; that Tarquin, at the time of his expul-  
 sion, was actually making war for the people of Rome; but  
 Brutus, on the contrary, had actually begun a war against  
 them. That it was necessary, therefore, to confirm by public  
 authority, what Brutus had done by private, in preserving the  
 safety of Gaul, the flower of Italy, and the bulwark of the  
 empire<sup>1</sup>. Then, after largely inveighing against Antony's  
 character, and enumerating particularly all his cruelties and  
 enormities, he exhorts them, in a pathetic manner, to act with  
 courage in defence of the republic, or die bravely in the at-  
 tempt: that now was the time either to recover their liberty,  
 or live for ever slaves: that if the fatal day was come, and  
 Rome was destined to perish, it would be a shame for them,  
 governors of the world, not to fall with as much courage as  
 fathers were used to do, and die with dignity, rather than  
 with disgrace. He puts them in mind of the many ad-  
 vantages which they had towards encouraging their hopes and  
 resolution; the body of the people, alert and eager in the  
 cause; young Cæsar in the guard of the city; Brutus of  
 himself; two consuls of the greatest prudence, virtue, concord  
 between themselves; who had been meditating nothing else,  
 many months past, but the public tranquillity: to all which  
 he promises his own attention and vigilance, both day and  
 night, for their safety<sup>2</sup>. On the whole, therefore, he gives  
 his vote and opinion, that the new consuls, C. Pansa and  
 M. Tullius, should take care that the senate may meet with  
 solemnity on the first of January: that D. Brutus, emperor and  
 consul elect, had merited greatly of the republic, by defending  
 the authority and liberty of the senate and people of Rome:  
 that his army, the towns and colonies of his province, should  
 be publicly thanked and praised for their fidelity to him; that  
 it should be declared to be of the last consequence to the re-  
 public, that D. Brutus and L. Plancus (who commanded the  
 army in Gaul), emperor and consul elect, as well as all others  
 who had the command of provinces, should keep them in their  
 duty to the senate, till successors were appointed by the senate:  
 since, by the pains, virtue, and conduct of young Cæsar,  
 the assistance of the veteran soldiers who followed him, the  
 republic had been delivered, and was still defended from the  
 greatest dangers; and since the martial and fourth legions,  
 or that excellent citizen and quæstor, Egnatuleius, had

<sup>1</sup> Ibid. 4, 5.

<sup>2</sup> Ibid. 14, &c.

A. Urb. 709. Cic. 63. Cons.—M. Antonius. P. Cornelius Dolabella.

voluntarily declared for the authority of the senate, and liberty of the people, that the senate should take special that due honours and thanks be paid to them for their recent services; and that the new consuls, on their entry into office, should make it their first business to see all executed in proper form: to all which the house unanimously agreed, and ordered a decree to be drawn conformably to opinion.

From the senate he passed directly to the Forum, and speech to the people, gave an account of what had passed, begins, by signifying his joy to see so great a concourse, him, greater than he had ever remembered, a sure sign of their good inclinations, and an encouragement both to his labours and his hopes of recovering the republic. He repeats with some variation, what he had delivered in the senate, of the praises of Cæsar and Brutus, and the designs of Antony: that the race of the Brutuses was to them by the special providence of the gods, for the perpetual defenders and deliverers of the republic: that, by which the senate had decreed, they had, in fact, though not in words, declared Antony a public enemy: that they must consider him, therefore, as such, and no longer as consul they had to deal with an enemy, with whom no terms of accommodation could be made; who thirsted not so much after their lives as their blood: to whom no sport was so agreeable, as to see citizens butchered before his eyes: that the gods, ever, by portents and prodigies, seemed to foretel his downfall, since such a consent and union of all ranks

A. Urb. 709. Cic. 63. Coss.—M. Antonius. P. Cornelius Dolabella.

raising arms and troops for the guard of the new consuls, the defence of the state: and the new levies were carried with the greater diligence, for the certain news that was brought to Rome, that Antony was actually besieging Modena, which Brutus, unable to oppose him in the field, had withdrawn himself, with all his forces, as the strongest town of his province, and the best provided to sustain a siege. Young Cato, in the meanwhile, without expecting the orders of the senate, but with the advice of Cicero, by which he now directed himself in every step, marched out of Rome, at the head of his troops, and followed Antony into the province, in order to observe his motions, and take all occasions of discouraging him: as well as to encourage Brutus to defend himself with vigour, till the consuls could bring up the grand army, when they were preparing for his relief.

## SECTION X.

A. Urb. 710. Cic. 64. Coss.—C. Vibius Pansa. A. Hirtius.

IN the opening of the year, the city was in great expectation to see what measures their new consuls would pursue: they had been at school, as it were, all the summer to Cicero, following the plan of their administration, and taking their lessons of government from him, and seem to have been brought directly into his general view, of establishing the peace and stability of the republic, on the foundation of an amnesty. But their great obligations to Cæsar, and long engagements with his party, to which they owed all their fortunes, had left some scruples in them, which gave a check to their zeal, and dissuaded them to act with more moderation against old friends, than the condition of the times would allow; and, before the experiment of arms, to try the gentler method of a treaty. With these sentiments, as soon as they were inaugurated, they entered into a deliberation with the senate, on the present state of the republic, in order to perfect what had been resolved at their last meeting, and to contrive some farther means for the security of the public tranquillity. They both spoke with great spirit and firmness, offering themselves as leaders, asserting the liberty of their country, and exhorting the people to courage and resolution in the defence of so good a cause: and when they had done, they called upon Q. Fufius

t oratio Consulium animum meum erexit, speinque attulit non modo salutis condæ, verum etiam dignitatis pristinæ recuperandæ. Ibid. 5. 1.

A. U. C. 714. C. 54. Cons.—C. Vibius Pansa. A. Hirtius.

Calpurnia, to deliver his sentiments the first. He had but consul four years before, by Cæsar's nomination, and as father-in-law to Pansa, which, by custom, was a sufficient ground for paying him that compliment: Cicero's opinion was already well known: he was for the shortest and readiest way of coming at their end, by declaring Antony a public enemy, and, without loss of time, acting against him by open force; but this was not relished by the consuls, who called, therefore, upon Calenus, to speak first, that, as he was a fast friend to Antony, and sure to be on the moderate side, he might infuse some sentiments of that sort into the senate, before Cicero had made a contrary impression. Calenus's opinion, therefore, was, that before they proceeded to acts of hostility, they should send an embassy to Antony, to admonish him to desist from his attempt upon Gaul, and submit to the authority of the senate: Piso and several others were of the same mind, alleging it to be unjust and cruel to condemn a man, till they had first heard what he had to say for himself.

But Cicero opposed this motion with great warmth, not only as vain and foolish, but dangerous and pernicious: he declared it dishonourable to treat with any one, who was in arms against his country, until he laid them down, and sued for peace: in which case no man would be more moderate or equitable than himself: that they had in effect proclaimed him an enemy already, and had nothing left but to confirm it by a decree, when he was besieging one of the great towns of Italy, a colony of Rome, and in it their consul elect, and general

A. U. C. 710. Cl. 64. Cons.—C. Vibius Pansa. A. Hirtius.

of the constitution of the republic, the majesty of the Roman people, and the discipline of their ancestors<sup>1</sup>: that whatever was the purpose of their message, it would signify nothing: if to beg him to be quiet, he would despise it; if to command him, he would not obey it: that, without any possible good, it would be a certain damage; would necessarily create delay and obstruction to the operations of the war: check the zeal of the army; damp the spirits of the people, whom they now saw so brisk and eager in the cause: that the greatest revolutions of affairs were effected often by trifling accidents; and, above all, in civil wars, which were generally governed by popular rumour: that how vigorous soever their instructions were to the ambassadors, that they would be little regarded: the very name of an embassy implied a diffidence and fear, which was sufficient to cool the ardour of their friends<sup>2</sup>: they might order him to retire from Modena; to quit the province of Gaul; but this was not to be obtained by words, but extorted by arms: that while the ambassadors were going and coming, people would be in doubt and suspense about the success of their negotiation; and, under the expectation of a doubtful war, what progress could they hope to make in their levies? that his opinion, therefore, was, to make no farther mention of an embassy, but to enter instantly into action: that there should be a cessation of all civil business; public tumult proclaimed; the shops shut up; and that, instead of their usual gown, they should all put on the sagum, or habit of war: and that levies of soldiers should be made in Rome, and through Italy, without any exception of privilege or dismission from service: that the very fame of this vigour would restrain the madness of Antony, and let the world see that the case was not, as he pretended, a struggle only of contending parties, but a real war against the commonwealth: that the whole republic should be committed to the consuls, to take care that it received no detriment: that pardon should be offered to those of Antony's army, who should return to their duty before the first of February: that if they did not come to this resolution now, they would be forced to do it afterwards, when it would be too late, perhaps, or less effectual<sup>3</sup>.

This was the sum of what he advised as to their conduct towards Antony; he next proceeded to the other subject of their debate—the honours which were ordered to be decreed at their last meeting, and began with D. Brutus, as consul elect; in favour of whom, besides many high expressions of praise, he proposed a decree to this effect:—Whereas D. Brutus, em-

<sup>1</sup> Ibid. 9.

<sup>2</sup> Ibid. 10.

<sup>3</sup> Ibid. 10, 12.

A. Urb. 710. Cic. 64. Cont.—C. Vindex Pater. A. H. 1000

peror, consul elect, now holds the province of Gaul in the power of the senate, and people of Rome; and by the cheerful assistance of the towns and colonies of his province, has drawn together a great army in a short time; that he has done this rightly and regularly, and for the service of the state, so that it is the sense, therefore, of the senate and people, that the republic has been relieved, in a most difficult conjuncture, by the pains, counsel, virtue of D. Brutus, emperor, consul elect, and by the incredible zeal and concurrence of the province of Gaul. He moved also for an extraordinary honour to M. Lepidus, who had no pretension to it, indeed, from past services, but, being now at the head of the best army in the empire, was in condition to do the most good or ill to them as any man. This was the ground of the compliment; for his faith being suspected, and his union with Antony dreaded. Cicero hoped, by this testimony of their confidence, to constrain him in the interests of the senate; but he seems to be hard put to it, for a pretext of merit to ground his decree upon. He takes notice, that Lepidus was always moderate in power, and a friend to liberty: that he gave a signal proof of it, when Antony offered the diadem to Cæsar; for, by turning away his face, he publicly testified his aversion to slavery, and that his compliance with the times was through necessity, not choice: that, since Cæsar's death, he had practised the same moderation; and when a bloody war was revived in Spain, chose to put an end to it, by the methods of prudence and humanity, rather than by arms and the sword, and consented to the restoration of S. Pompey; for which reason he proposed the following decree:—Whereas the republic has often been well and happily administered by M. Lepidus, the chief priest, and

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mission and command over his troops, without which he could be of no use to them, and that he should have the rank and all the rights of a proprætor, not only for the sake of his dignity, but the necessary management of their affairs, and the administration of the war; and then offers the form of a decree:—Whereas C. Cæsar, the son of Caius, priest, proprætor, has, in the utmost distress of the republic, excited and enlisted veteran troops, to defend the liberty of the Roman people; and whereas the martial and fourth legions, under the leading and authority of C. Cæsar, have defended, and now defend the republic, and the liberty of the Roman people; and whereas C. Cæsar is gone, at the head of his army, to protect the province of Gaul; has drawn together a body of horse, archers, elephants, under his own and the people's power; and, in the most dangerous crisis of the republic, has supported the safety and dignity of the Roman people; for these reasons, the senate decrees, that C. Cæsar, the son of Caius, priest, proprætor, be henceforward a senator, and vote in the rank and place of a prætor; and that, in soliciting for any future magistracy, the same regard be had to him, as would have been had by law, if he had been quæstor the year before<sup>1</sup>. As to those who thought these honours too great for so young a man, and apprehended danger from his abuse of them, he declares their apprehensions to be the effect of envy rather than fear, since the nature of things was such that he, who had once got a taste of true glory, and found himself universally dear to the senate and people, could never think any other acquisition equal to it: he wishes that J. Cæsar had taken the same course, when young, of endearing himself to the senate and honest men; but, by neglecting that, he spent the force of his great genius in acquiring a vain popularity, and, having no regard to the senate, and the better sort, opened himself a way to power which the virtue of a free people could not bear: that there was nothing of this kind to be feared from the son, nor, after the proof of such admirable prudence in a boy, any ground to imagine that his riper age would be less prudent: for what greater folly could there be, than to prefer a useless power, an invidious greatness, the lust of reigning, always slippery and tottering, to true, weighty, solid glory? If they suspected him as an enemy to some of their best and most valued citizens, they might lay aside those fears; he had given up all his resentments to the republic: made her the modetratrix of all his acts; that he knew the most inward sentiments of the youth; would pawn his credit for him to the senate and

<sup>1</sup> Ibid. 17.

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people; would promise, engage, undertake, that he would always be the same that he now was: such as they should wish and desire to see him<sup>1</sup>. He proceeded also to give a public testimonial of praise and thanks to L. Egnatuleius, for his fidelity to the republic, in bringing over the fourth legion from Antony to Cæsar; and moves, that it might be granted to him, for that piece of service, to sue for and hold any magistracy three years before the legal time<sup>2</sup>. Lastly, as to the veteran troops, which had followed the authority of Cæsar and the senate, and especially the martial and fourth legions, he moved, that an exemption from service should be decreed to them and their children, except in the case of a gallic or domestic tumult; and that the consuls C. Pansa and A. Hirtius, or one of them, should provide lands in Campania, or elsewhere, to be divided to them; and that, as soon as the present war was over, they should all be discharged, and perpetually receive whatever sums of money C. Cæsar had promised to them when they first declared for him.

This was the substance of his speech, in the latter part of which, the proposal of honours, the senate readily agreed with him; and though those, which were decreed to Octavius, seemed so extraordinary to Cicero himself, that he thought it proper to make an apology for them, yet there were others, of the first rank, who thought them not great enough; so that Philippus added the honour of a statue; Ser. Sulpicius and Servilius the privilege of suing for any magistracy, still earlier than Cicero had proposed<sup>3</sup>. But the assembly was much

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Gulpicinus, L. Piso, and L. Philippus: but their commission was strictly limited, and drawn up by Cicero himself: giving them no power to treat with Antony, but to carry to him only the peremptory commands of the senate, to quit the siege of Modena, and desist from all hostilities in Gaul; they had instructions, likewise, after the delivery of their message, to speak with D. Brutus in Modena, and signify to him and his army, that the senate and the people had a grateful sense of their services, which would one day be a great honour to them<sup>1</sup>.

The unusual length of these debates greatly raised the curiosity of the city, and drew the whole body of the people into the Forum, to expect the issue; where, as they had done also not long before, they could not forbear calling out upon Cicero with one voice, to come and give them an account of the deliberations<sup>2</sup>. He went, therefore, directly from the senate into the rostra, produced by Appuleius, the tribune, and acquainted them, in a speech, with the result of their debates,—that the senate, excepting a few, after they had stood firm for three days to his opinion, had given it up at last, with less gravity, indeed, than became them, yet not meanly or shamefully, having decreed not so much an embassy as a denunciation of war to Antony, if he did not obey it; which carried, indeed, an appearance of severity; and he wished only that it had carried no delay: that Antony, he was sure, would never obey it, nor ever submit to their power, who had never been in his own: that he would do therefore, in that place, what he had been doing in the senate; testify, warn, and declare to them, beforehand, that Antony would perform no part of what their ambassadors were sent to require of him—that he would still waste the country, besiege Modena, and not suffer the ambassadors themselves to enter the town, or speak with Brutus: “Believe me,” says he, “I know the violence, the impudence, the audaciousness of the man: let our ambassadors then make haste, which I know they are resolved to do: but do you prepare your military habit; for it is a part also of our decree, that, if he does not comply, we must all put on that garb: we shall certainly put it on: he will never obey: we shall lament the loss of so many days, which might have been employed in action<sup>3</sup>. I am not afraid,

<sup>1</sup> Quamquam non est illa legatio, sed denunciatio belli, nisi paruerit—mittuntur enim qui nuncient, ne oppugnet Consulem designatum, ne Mutinam obsideat, ne Provinciam depopuletur. Philip. 6. 2.

Dantur mandata legatis, ut D. Brutum, militesque ejus adcant, &c. Ibid. 3.

<sup>2</sup> Quid ego de universo populo R. dicam? qui pleno ac referto foro bis me una mente atque voce in concionem vocavit. Ibid. 7. 8.

<sup>3</sup> Ibid. 6. 1, 2, 3.

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when he comes to hear how I have declared this beforehand, that, for the sake of confuting me, he should change his mind and submit. He will never do it; will not envy me this glory; will choose rather, that you should think me wise than him modest." He observes, that though it would have been better to send no message, yet some good would flow from it to the republic; for when the ambassadors shall make the report, which they surely will make, of Antony's refusal to obey the people and senate, who can be so perverse, as to look upon him any longer as a citizen?—"Wherefore wait," says he, "with patience, citizens, the return of the ambassadors, and digest the inconvenience of a few days: if on their return they bring peace, call me prejudiced; if war, provident<sup>1</sup>." Then, after assuring them of his perpetual vigilance for their safety, and applauding their wonderful alacrity in the cause, and declaring, that of all the assemblies which he had seen, he had never known so full a one as the present, he thus concludes; "The season of liberty is now come, my citizens, much later, indeed, than became the people of Rome; but so ripe now, that it cannot be deferred a moment. What we have hitherto suffered was owing to a kind of fatality, which we have borne as well as we could: but if any such case should happen again, it must be owing to ourselves: it is not possible for the people of Rome to be slaves, whom the gods have destined to the command of all nations: the affair is now reduced to the last extremity; the struggle is for liberty: it is your part either to conquer, which will surely be the fruit of your piety and con-

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Antony's refusal to comply with what was enjoined; contriving specious answers for him, and representing them as a reasonable ground of an accommodation, in hopes to cool the ardour of the city for the prosecution of the war: Calenus was at the head of this party, who kept a constant correspondence with Antony, and took care to publish such of his letters as were proper to depress the hopes and courage of his adversaries, and keep up the spirits of his friends<sup>1</sup>.

Cicero, therefore, at a meeting of the senate, called in this interval about certain matters of ordinary form, took occasion to rouse the zeal of the assembly, by warning them of the mischief of these insinuations. He observed, that the affairs then proposed to their deliberation were of little consequence, though necessary in the common course of public business, about the Appian way, the coin, the Luperci, which would easily be adjusted; but that his mind was called off from the consideration of them by the more important concerns of the republic: that he had always been afraid of sending the embassy: and now every body saw what a languor the expectation of it had caused in people's minds, and what a handle it had given to the practices of those, who grieved to see the senate recovering its ancient authority; the people united with them; all Italy on the same side; their armies prepared; their generals ready to take the field: who feign answers for Antony, and applaud them as if they had sent ambassadors not to give, but receive conditions from him. Then, after exposing the danger and iniquity of such practices, and rallying the principal abettor of them, Calenus, he adds, that he, who all his life had been the author and promoter of civil peace; who owed whatever he was, whatever he had to it; his honours, interest, dignity, nay, even the talents and abilities which he was master of; "Yet I," says he, "the perpetual adviser of peace, am for no peace with Antony:"—where, perceiving himself to be heard with attention, he proceeds to explain at large, through the rest of his speech, that such a peace would be dishonourable, dangerous, and could not possibly subsist: he exhorts the senate, therefore, to be attentive, prepared, and armed beforehand; so as not to be caught by a smooth or suppliant answer, and the false appearance of equity: that Antony must do every thing which was prescribed to him, before he could pretend to ask any thing: if not, that it was not the senate which proclaimed war against him, but he

<sup>1</sup> Ille litteras ad te mittat de spe sua secundarum rerum? eas tu lætus proferas?—describendas etiam des improbis civibus?—eorum augeas animos? bonorum spem, virtutemque debilitas? Ibid. 7. 2.

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against the Roman people. "But for you, fathers, I give you warning," says he: "the question before you concerns the liberty of the people of Rome, which is entrusted to your care; it concerns the lives and fortunes of every honest man; it concerns your own authority; which you will for ever lose, if you do not retrieve it now. I admonish you too, Pansa; for though you want no advice, in which you excel, yet the best pilots, in great storms, are sometimes admonished by passengers: never suffer that noble provision of arms and troops, which you have made, to come to nothing: you have such an opportunity before you, as no man ever had: by this firmness of the senate, this alacrity of the equestrian order, this ardour of the people, you have it in your power to free the republic for ever from fear and danger<sup>1</sup>."

The consuls, in the mean while, were taking care that the expectation of the effect of the embassy should not supersede their preparations for war; and agreed between themselves, that one of them should march immediately to Gaul, with the troops which were already provided, and the other stay behind to perfect the new levies, which were carried on with great success, both in the city and the country: for all the capital towns of Italy were vying with each other in voluntary contributions of money and soldiers, and in decrees of infamy and disgrace to those who refused to list themselves into the public service<sup>2</sup>. The first part fell by lot to Hirtius<sup>3</sup>; who, though but lately recovered from a dangerous indisposition, marched away, without loss of time, at the head of a brave army; and parting early of the two legions, the martial and the fourth,

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rison; his horse were routed in the action, and some of them slain<sup>1</sup>.” And in all his letters to Cicero, he assured him, that he would undertake nothing without the greatest caution; in answer, probably, to what Cicero was constantly inculcating, not to expose himself too forwardly, till Pansa could come up to him<sup>2</sup>.

The ambassadors returned about the beginning of February, having been retarded somewhat longer than they intended, by the death of Ser. Sulpicius, which, happening when they were just arrived at Antony's camp, left the embassy maimed and imperfect, as Cicero says, by the loss of the best and ablest man of the three<sup>3</sup>. The report which they made to the senate, answered exactly, in every point, to what Cicero had foretold;—that Antony would perform no part of what was required, nor suffer them even to speak with Brutus, but continued to batter the town with great fury in their presence: he offered, however, some conditions of his own, which, contrary to their instructions, they were weak enough to receive from him, and lay before the senate: the purport of them was, that the senate should assign lands and rewards to all his troops, and confirm all the other grants which he and Dolabella had made in their consulship: that all his decrees, from Cæsar's books and papers, should stand firm: that no account should be demanded of the money taken from the temple of Opis, nor any inquiry made into the conduct of the seven commissioners, created to divide the lands to the veteran soldiers; and that his judiciary law should not be repealed. On these terms, he offered to give up Cisalpine Gaul, provided that he might have the greater Gaul in exchange for five years, with an army of six legions, to be completed out of the troops of D. Brutus<sup>4</sup>.

Pansa summoned the senate to consider the report of the ambassadors, which raised a general indignation through the city, and gave all possible advantage to Cicero, towards bringing the house into his sentiments: but, contrary to expectation, he found Calenus's party still strong enough to give him much trouble, and even to carry some points against him; all tending to soften the rigour of his motions, and give them a

<sup>1</sup> Dejeci præsidium, Claterna potitus sum, fugati equites, prælium commissum, occisi aliquot. Ibid. 8. 2.

<sup>2</sup> Hirtius nihil nisi considerate, ut mihi crebris litteris significat, acturus videbatur. Ep. Fam. 12. 5.

<sup>3</sup> Cum Ser. Sulpicius ætate illos anteciret, sapientia omnes, subito creptus e causa totam legationem orbam et debilitatam reliquit. Philip. 9. 1.

<sup>4</sup> Ante Consulis oculosque legatorum tormentis Mutinam verberavit—no punctum quidem temporis, cum legati adessent, oppugnatio respiravit—cum illi contempti et rejecti revertissent, dixissentque Senatui, non modo illum e Gallia non discessisse, uti censuissimus, sed ne a Mutina quidem recessisse, potestatem sibi D. Bruti conveniendi non fuisse, &c. vid. Ibid. 8. 7, 8, 9.

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turn more favourable towards Antony. He moved the senate to decree, that a war or rebellion was actually commenced; they carried it for a tumult: he urged them to declare Antony an enemy; they carried it for the softer term of adversary: he proposed that all persons should be prohibited from going to Antony; they excepted Varius Cotyla, one of his lieutenants, who was then in the senate, taking notes of every thing which passed. In these votes Pansa himself, and all the consular senators, concurred: even L. Caesar, who, though a true friend to liberty, yet, being Antony's uncle, thought himself obliged, by decency, to vote on the milder side<sup>1</sup>.

But Cicero, in his turn, easily threw out, what was warmly pressed on the other side, the proposal of a second embassy; and carried, likewise, the main question, of requiring the citizens to change their ordinary gown for the sagum, or habit of war: by which they decreed the thing, while they rejected the name. In all decrees of this kind, the consular senators, on the account of their dignity, were excused from changing their habit; but Cicero, to inculcate more sensibly the distress of the republic, resolved to waive his privilege, and wear the same robe with the rest of the city<sup>2</sup>. In a letter to Cassius, he gives the following short account of the state of things at this time:—"We have excellent consuls, but most shameful consulars: a brave senate, but the lower they are in dignity, the braver: nothing firmer and better than the people, and all Italy universally: but nothing more detestable and infamous than our ambassadors, Philip and Piso, who, when sent only to carry the orders of the senate to Antony, none of which he

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war: that the word tumult, which they had preferred, either carried in it no real difference, or if any, implied a greater perturbation of all things<sup>1</sup>: he proved, from every step that Antony had taken and was taking; from every thing which the senate, the people, the towns of Italy were doing and decreeing against him, that they were truly and properly in a state of civil war; the fifth which had happened in their memory, and the most desperate of them all; being the first which was ever raised, not by a dissension of parties, contending for a superiority in the republic, but against an union of all parties, to enslave and oppress the republic<sup>2</sup>. He proceeds to expostulate with Calenus, for his obstinate adherence to Antony, and exposes the weakness of his pretended plea for it—a love of peace, and concern for the lives of the citizens: he puts him in mind, that there was no juster cause of taking arms, than to repel slavery; that several other causes indeed were just, but this necessary; unless he did not take himself to be affected by it, for the hopes of sharing the dominion with Antony: if so, he was doubly mistaken; first, for preferring a private interest to the public; secondly, for thinking any thing secure, or worth enjoying in a tyranny; that a regard for the safety of citizens was a laudable principle; if he meant the good, the useful, the friends to their country: but if he meant to save those, who, though citizens by nature, were enemies by choice; what difference was there between him and such citizens? That their ancestors had quite another notion of the care of citizens; and when Scipio Nasica slew Tiberius Gracchus, when Opimius slew Caius Gracchus, when Marius killed Saturninus, they were all followed by the greatest and the best both of the senate and the people: that the difference between Calenus's opinion and his was not trifling, or about a trifling matter; the wishing well only to this or that man; that he wished well to Brutus, Calenus to Antony; he wished to see a colony of Rome preserved, Calenus to see it stormed: that Calenus could not deny this, who was contriving all sorts of delay, which could distress Brutus and strengthen Antony<sup>3</sup>. He then addressed himself to the other consulars, and reproached them for their shameful behaviour the day before, in voting for a second embassy, and said, that when the ambassadors were sent against his judgment, he comforted himself with imagining, that, as soon as they should return, despised and rejected by Antony, and inform the senate that he would neither retire from Gaul, nor quit the siege of Modena, nor even suffer them to speak with Brutus; that, out

<sup>1</sup> Philip. 8. 1.

<sup>2</sup> Ibid. 3.

<sup>3</sup> Ibid. 4—6.

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of indignation, they should all arm themselves immediately in the defence of Brutus; but, on the contrary, they were grown more dispirited, to hear of Antony's audaciousness; and their ambassadors, instead of courage, which they ought to have brought, had brought back nothing but fear to them<sup>1</sup>. "Good God," says he, "what is become of the virtue of our ancestors?—When Popilius was sent ambassador to Antiochus, and ordered him, in the name of the senate, to depart from Alexandria, which he was then besieging, upon the king's deferring to answer, and contriving delays, he drew a circle round him with his staff, and bade him give his answer instantly, before he stirred out of that place, or he would return to the senate without it." He then recites and ridicules the several demands made by Antony: their arrogance, stupidity, absurdity; and reproves Piso and Philip, men of such dignity, for the meanness of bringing back conditions, when they were sent only to carry commands: he complains, that they paid more respect to Antony's ambassador, Cotta, than he to their's: for, instead of shutting the gates of the city against him, as they ought to have done, they admitted him into that very temple, where the senate then sat; where, the day before, he was taking notes of what every man said, and was caressed, invited, and entertained, by some of the principal senators, who had too little regard to their dignity, too much to their danger. But what, after all, was the danger, which must end either in liberty or death? the one always desirable, the other unavoidable; while to fly from death basely was worse than death itself: that it used to be the character of consular men

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senate in their favour; but if any person, from this time, should go over to Antony, except Cotyla, that the senate would consider him as an enemy to his country.

The public debates being thus adjusted, Pansa called the senate together again the next day, to deliberate on some proper honours to be decreed to the memory of Ser. Sulpicius, who died upon the embassy: he spoke largely in his praise, and advised to pay him all the honours which had ever been decreed to any, who had lost their lives in the service of their country—a public funeral, sepulchre, and statue. Servilius, who spoke next, agreed to a funeral and monument, but was against a statue, as due only to those who had been killed by violence, in the discharge of their embassies. Cicero was not content with this, but out of private friendship to the man, as well as a regard to the public service, resolved to have all the honours paid to him, which the occasion could possibly justify: in answer, therefore, to Servilius, he shewed, with his usual eloquence, that the case of Sulpicius was the same with the case of those who had been killed on the account of their embassies: that the embassy itself had killed him: that he set out upon it in so weak a condition, that though he had some hopes of coming to Antony, he had none of returning: and when he was just arrived to the congress, expired in the very act of executing his commission<sup>1</sup>: that it was not the manner, but the cause of the death, which their ancestors regarded: if it was caused by the embassy, they granted a public monument, to encourage their fellow-citizens, in dangerous wars, to undertake that employment with cheerfulness: that several statues had been erected on that account; which none had ever merited better than Sulpicius: that there could be no doubt but that the embassy had killed him; and that he had carried out death along with him, which he might have escaped by staying at home, under the care of his wife and children<sup>2</sup>: but when he saw, that if he did not obey the authority of the senate, he should be unlike to himself, and, if he did obey, must necessarily lose his life, he chose, in so critical a state of the republic, rather to die than seem to decline any service which he could possibly do: that he had many opportunities of refreshing and reposing himself in the cities through which he passed, and was pressed to it by his colleagues; but, in spite of his distemper, persevered to death in the resolution of urging his journey, and hastening to perform the commands of the senate: that if they recollected how he endeavoured to excuse himself from the task, when it was first moved in the senate,

<sup>1</sup> Ibid. 9. 1.

<sup>2</sup> Ibid. 3.

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they must needs think, that this honour to him, when dead, was but a necessary amends for the injury which they had done to him when living: for, though it was harsh to be said, yet he must say it, that it was they who had killed him, by overruling his excuse, when they saw it grounded, not on a feigned, but a real sickness; and when, to their remonstrance, the consul Pansa joined his exhortation, with a gravity and force of speech, which his ears had not learnt to bear; "Then," says he, "he took his son and me aside, and professed, that he could not help preferring your authority to his own life: we, through admiration of his virtue, durst not venture to oppose his will: his son was tenderly moved, nor was my concern much less; yet both of us were obliged to give way to the greatness of his mind, and the force of his reasoning: when, to the joy of you all, he promised that he would do whatever you prescribed, nor would decline the danger of that vote, of which he himself had been the proposer: restore life, therefore, to him from whom you have taken it: for the life of the dead is in the memory of the living: take care that he whom you unwillingly sent to his death, receive an immortality from you: for, if you decree a statue to him in the rostra, the remembrance of his embassy will remain to all posterity—". Then, after illustrating the great virtues, talents, and excellent character of Sulpicius, he observes, that all these would be perpetuated by their own merit and effects, and that the statue was the monument rather of the gratitude of the senate, than of the fame of the man: of a public rather than of a private signification; an eternal testimony of Antony's audaciousness, of his warlike an

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whom he kept up a perpetual friendship. They went through their exercises together when young, both at Rome and at Rhodes, in the celebrated school of Molo: whence he became an eminent pleader of causes, and passed through all the great offices of the state, with a singular reputation of wisdom, learning, integrity; a constant admirer of the modesty of the ancients; and a reprover of the insolence of his own times. When he could not arrive at the first degree of fame as an orator, he resolved to excel in what was next to it, the character of a lawyer; choosing rather to be the first in the second art, than the second only in the first; leaving, therefore, to his friend Cicero the field of eloquence, he contented himself with such a share of it, as was sufficient to sustain and adorn the profession of the law. In this he succeeded to his wish, and was far superior to all who had ever professed it in Rome; being the first who reduced it to a proper science, or rational system; and added light and method to that, which all others before him had taught darkly and confusedly. Nor was his knowledge confined to the external forms or the effects of the municipal laws; but enlarged by a comprehensive view of universal equity, which he made the interpreter of its sanctions, and the rule of all his decisions; yet he was always better pleased to put an amicable end to a controversy, than to direct a process at law. In his political behaviour, he was always a friend to peace and liberty; moderating the violence of opposite parties, and discouraging every step towards civil dissension; and, in the late war, was so busy in contriving projects of an accommodation, that he gained the name of the peace-maker. Through a natural timidity of temper, confirmed by a profession and course of life averse from arms, though he preferred Pompey's cause as the best, he did not care to fight for it: but taking Cæsar to be the strongest, suffered his son to follow that camp, while he himself continued quiet and neuter: for this he was honoured by Cæsar, yet could never be induced to approve his government. From the time of Cæsar's death, he continued still to advise and promote all measures which seemed likely to establish the public concord; and died, at last, as he had lived, in the very act and office of peace-making<sup>1</sup>.

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<sup>1</sup> Non facile quem dixerim plus studii quam illum et ad dicendum, et ad omnes bonarum rerum disciplinas adhibuisse: nam et in iisdem exercitationibus incunte ætate fuimus; et postea Rhodum una ille etiam profectus est, quo melior esset et doctior: et inde ut rediit, videtur mihi in secunda arte primus esse maluisse, quam in prima secundus—sed fortasse maluit, id quod est adeptus, longe omnium non ejusdem modo ætatis, sed eorum etiam qui fuissent in jure civili esse princeps—juris civilis magnum usum et apud Scævola et apud multos fuisse, artem in hoc uno—hic enim attulit hanc artem—quasi lucem ad ea, quæ confuse ab aliis aut respondebantur aut agebantur.

A. Urb. 710. Cic. 64. Cons. — C. Vibius Pansa. A. Hirtius.

The senate had heard nothing of Brutus and Cassius, from the time of their leaving Italy, till Brutus now sent public letters to the consuls, giving a particular account of his success against Antony's brother, Caius, in securing Macedonia, Illyricum, and Greece, with all the several armies in those countries, to the interests of the republic: that C. Antony was retired to Apollonia, with seven cohorts, where a good account would soon be given of him: that a legion, under L. Piso, had surrendered itself to young Cicero, the commander of his horse: that Dolabella's horse, which was marching in two separate bodies towards Syria, the one in Thessaly, the other in Macedonia, had deserted their leaders, and joined themselves to him: that Vatinius had opened the gates of Dyrrachium to him, and given up the town with his troops into his hands; that in all these transactions, Q. Hortensius, the proconsul of Macedonia, had been particularly serviceable in disposing the provinces and their armies to declare for the cause of liberty<sup>1</sup>.

Pansa no sooner received the letters, than he summoned the senate, to acquaint them with the contents, which raised an incredible joy through the whole city<sup>2</sup>. After the letters were read, Pansa spoke largely in the praises of Brutus; extolled his conduct and services; and moved, that public honours and thanks should be decreed to him: and then, according to his custom, called upon his father-in-law, Calenus, to declare his sentiments the first; who, in a premeditated speech, delivered from writing, acknowledged Brutus's letters to be well and properly drawn; but since what he had done was done without

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and began with giving the thanks of the house to Pansa, for calling them together on that day, when they had no expectation of it; and not deferring a moment to give them a share of the joy which Brutus's letters had brought. He observes, that Pansa, by speaking so largely in the praise of Brutus, had shewn that to be true, which he had always taken to be so, that no man ever envied another's virtue, who was conscious of his own: that he had prevented him, to whom, for his intimacy with Brutus, that task seemed particularly to belong, from saying so much as he intended on that subject. Then addressing himself to Calenus, he asks, what could be the meaning of that perpetual war which he declared against the Brutuses? why he alone was always opposing, when every one else was almost adoring them? that to talk of Brutus's letters being rightly drawn, was not to praise Brutus, but his secretary: when did he ever hear of a decree in that style, that letters were properly written? yet the expression did not fall from him by chance, but was designed, premeditated, and brought in writing<sup>1</sup>. He exhorts him to consult with his son-in-law, Pansa, oftener than with himself, if he would preserve his character: professes that he could not help pitying him, to hear it given out among the people that there was not a second vote on the side of him, who gave the first; which would be the case, he believed, in that day's debate. "You would take away," says he, "the legions from Brutus, even those which he has drawn off from the traitorous designs of C. Antony, and engaged by his own authority in the public service: you would have him sent once more, as it were, into banishment, naked and forlorn: but for you, fathers, if ever you betray or desert Brutus, what citizen will you honour? whom will you favour? unless you think those, who offer kingly diadems, worthy to be preserved; those who abolish the name of king, to be abandoned." He proceeds to display, with great force, the merit and praises of Brutus; his moderation, mildness, patience of injuries: how studiously he had avoided every step which could give a handle to civil tumults: quitting the city; living retired in the country; forbidding the resort of friends to him; and leaving Italy itself lest any cause of war should arise on his account: that as long as he saw the senate disposed to bear every thing, he was resolved to bear too; but when he perceived them inspired with a spirit of liberty, he then exerted himself to provide them succours to defend it<sup>2</sup>: that if he had not defeated the desperate attempts of C. Antony, they had lost Macedonia, Illyricum, and Greece; the last of which af-

<sup>1</sup> Ibid. 2.

<sup>2</sup> Ibid. 3, 4.

A. Urb. 710. Cic. 64.—Coss.—C. Vibius Pansa. A. Hirtius.

forded either a commodious retreat for Antony, when drives out of Italy, or the best opportunity of invading it: which now, by Brutus's management, being strongly provided with troops, stretched out its arms, as it were, and offered its help to Italy. That Caius's march through the provinces was to plunder the allies; to scatter waste and desolation wherever he passed; to employ the armies of the Roman people against the people themselves: whereas Brutus made it a law, wheresoever he came, to dispense light, hope, and security to all around him: in short, that the one gathered forces to preserve, the other to overturn the republic: that the soldiers themselves could judge of this, as well as the senate; as they had declared, by their desertion of C. Antony, who, by that time, either was, or would soon be, Brutus's prisoner<sup>1</sup>, that there was no apprehension of danger from Brutus's power: that his legions, his mercenaries, his horse, and, above all, himself, was wholly theirs; formed for the service of the republic, as well by his own excellent virtue, as a kind of fatality derived from his ancestors, both on the father's and the mother's side: that none could ever blame him for any thing, unless for too great a backwardness and aversion to war; and his not humouring the ardour of all Italy in their thirst of liberty: that it was a vain fear which some pretended to entertain, that the veterans would be disgusted to see Brutus at the head of an army, as if there were any difference between his army, and the armies of Hirtius, Pansa, D. Brutus, Octavius; all of which had severally received public honours for their defence of the people of Rome: that M. Brutus could not be more suspected by the

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is true, and becoming my character to speak ; that if the resolutions of this body must be governed by the will of the veterans ; if all our words and acts must be regulated by their humour, then it is high time to wish for death ; which, to Roman citizens, was ever preferable to slavery<sup>1</sup> :” that since so many chances of death surrounded them all, both day and night, it was not the part of a man, much less of a Roman, to scruple the giving up that breath to his country, which he must necessarily give up to nature<sup>2</sup> : that Antony was the single and common enemy of them all ; though he had, indeed, his brother Lucius with him, who seemed to be born on purpose that Marcus might not be the most infamous of all mortals : that he had a crew also of desperate villains gaping after the spoils of the republic : that the army of Brutus was provided against these ; whose sole will, thought, and purpose, was to protect the senate and the liberty of the people ; who, after trying in vain what patience would do, found it necessary, at last, to oppose force to force<sup>3</sup> : that they ought, therefore, to grant the same privilege to M. Brutus, which they had granted before to Decimus, and to Octavius ; and confirm, by public authority, what he had been doing for them by his private counsel.—For which purpose he proposed the following decree :—Whereas by the pains, counsel, industry, virtue of Q. Cæpio Brutus<sup>4</sup>, proconsul, in the utmost distress of the republic, the province of Macedonia, Illyricum, and Greece, with all their legions, armies, horse, are now in the power of the consuls, senate, and people of Rome ; that Q. Cæpio Brutus, proconsul, has acted herein well, and for the good of the republic, agreeably to his character, the dignity of his ancestors, and to his usual manner of serving the commonwealth, and that his conduct is, and ever will be, acceptable to the senate and people of Rome. That Q. Cæpio Brutus, proconsul, be ordered to protect, guard, and defend the province of Macedonia, Illyricum, and all Greece, and command that army which he himself has raised ; that whatever money he wants for military service he may use and take it from any part of the public revenue, where it can best be raised, or borrow it where he thinks proper, and impose contributions of grain and forage, and take care to draw all his troops as near to Italy as possible : and whereas it appears, by the letters of Q. Cæpio Brutus, proconsul, that the public service has been greatly advanced, by the endeavours and virtue of Q. Hortensius, proconsul ; and that he concerted all his mea-

<sup>1</sup> Ibid. 9.

<sup>2</sup> Ibid. 10.

<sup>3</sup> Ibid. 11.

<sup>4</sup> M. Brutus, as appears from the style of this decree, had been adopted lately by his mother's brother, Q. Servilius Cæpio, whose name, according to custom, he now assumed, with the possession of his uncle's estate.

A. Urb. 710. Cic. 64. Cos.—C. Vibius Pansa. A. Hirtius.

sures with Q. Cæpio Brutus, proconsul, to the great benefit of the commonwealth; that Q. Hortensius, proconsul, has acted therein rightly, regularly, and for the public good; and that it is the will of the senate, that Q. Hortensius, proconsul, with his quæstors, proquæstors, and lieutenants, hold the province of Macedonia, till a successor be appointed by the senate.

Cicero sent this speech to Brutus, with that also which he made on the first of January: of which Brutus says, in answer to him, "I have read your two orations, the one, on the first of January, the other on the subject of my letters, against Calenus: you expect now, without doubt, that I should praise them: I am at a loss what to praise the most in them; your courage, or your abilities: I allow you now in earnest to call them *Philippics*, as you intimated, jocosely, in a former letter!" —Thus the name of *Philippics*, which seems to have been thrown out at first in gaiety and jest only, being taken up and propagated by his friends, became, at last, the fixed and standing title of these orations: which yet, for several ages, were called, we find, indifferently, either *Philippics* or *Antonians*. Brutus declared himself so well pleased with these two, which he had seen, that Cicero promised to send him, afterwards, all the rest.

Brutus when he first left Italy, sailed directly for Athens, where he spent some time in concerting measures, how to make himself master of Greece and Macedonia, which was the great design that he had in view. Here he gathered about him all the young nobility and gentry of Rome, who, for the oppor-

A. Urb. 710. Cic. 64. Coss.—C. Vibius Pansa. A. Hirtius.

justice to signify, both in his private and public letters to Rome. In writing to Cicero, "Your son," says he, "recommends himself to me so effectually, by his industry, patience, activity, greatness of mind, and, in short, by every duty, that he seems never to drop the remembrance of whose son he is; wherefore, since it is not possible for me to make you love him more than you do already, yet allow thus much to my judgment, as to persuade yourself, that he will have no occasion to borrow any share of your glory, in order to obtain his father's honours<sup>1</sup>."—This account, given by one who was no flatterer, may be considered as the real character of the youth: which is confirmed, likewise, by what Lentulus wrote of him about the same time: "I could not see your son," says he, "when I was last with Brutus, because he was gone with the horse into winter quarters: but, by my faith, it gives me great joy, for your sake, for his, and especially my own, that he is in such esteem and reputation: for as he is your son, and worthy of you, I cannot but look upon him as my brother<sup>2</sup>."

Cicero was so full of the greater affairs, which were the subject of his letters to Brutus, that he had scarce leisure to take notice of what was said about his son: he just touches it, however, in one or two letters: "As to my son, if his merit be as great as you write, I rejoice at it as much as I ought to do: or if you magnify it, out of love to him, even that gives me an incredible joy, to perceive that he is beloved by you<sup>3</sup>." Again; "I desire you, my dear Brutus, to keep my son with you as much as possible: he will find no better school of virtue, than in the contemplation and imitation of you<sup>4</sup>."

Though Brutus intimated nothing in his public letters but what was prosperous and encouraging, yet, in his private accounts to Cicero, he signified a great want of money and recruits, and begged to be supplied with both from Italy, especially with recruits: either by a vote of the senate, or, if that could not be had, by some secret management, without the privity of Pansa: to which Cicero answered, "You tell me

<sup>1</sup> Cicero filius tuus sic mihi se probat, industria, patientia, labore, animi magnitudine, omni denique officio, ut prorsus nunquam dimittere videatur cogitationem, cujus sit filius. Quare quoniam efficere non possum, ut pluris facias eum, qui tibi est carissimus, illud tribue judicio meo, ut tibi persuadeas, non fore illi abutendum gloria tua, ut adipiscatur honores paternos. Kal. Apr. Ad Brut. 2. 3.

<sup>2</sup> Filium tuum, ad Brutum cum veni, videre non potui, ideo quod jam in hiberna cum equitibus erat profectus. Sed medius fidius ea esse cum opinione, et tua et ipsius, et in primis mea causa gaudeo. Fratris enim loco mihi est, qui ex te natus, teque dignus est. Vale. 1111 Kal. Jun. Ep. Fam. 12. 14.

<sup>3</sup> De Cicerone meo, et si tantum est in eo, quantum scribis, tantum scilicet, quantum debeo, gaudeo: et si, quod amas eum, eo majora facis; id ipsum incredibiliter gaudeo, a te eum diligi. Ad Brut. 2. 6.

<sup>4</sup> Ciceronem meum, mi Brute, velim quam plurimum tecum habcas. Virtutis disciplinam meliorem reperiet nullum, quam contemplationem atque imitationem tui. XIII Kal. Maii. Ibid. 7.

A. Urb. 710. Cic. 64. Cons.,—C. Vibius Pansa. A. Hirius.

that you want two necessary things, recruits and money; it is difficult to help you. I know no other way of raising money, which can be of use to you, but what the senate has decreed, of borrowing it from the cities. As to recruits, I do not see what can be done: for Pansa is so far from granting any share of his army or recruits to you, that he is even uneasy to see so many volunteers going over to you: his reason, I take it, is, that he thinks no forces too great for the demands of our affairs in Italy: for as to what many suspect, that he has no mind to see you too strong, I have no suspicion of it'."—Pansa seems to have been much in the right, for refusing to part with any troops out of Italy, where the stress of the war now lay, on the success of which the fate of the whole republic depended.

But there came news of a different kind, about the same time, to Rome, of Dolabella's successful exploits in Asia. He left the city, as it is said above, before the expiration of his consulship, to possess himself of Syria: which had been allotted to him by Antony's management: and taking his way through Greece and Macedonia, to gather what money and troops he could raise in those countries, he passed over into Asia, in hopes of inducing that province to abandon Trebonius, and declare for him: having sent his emissaries, therefore, before him, to prepare for his reception, he arrived before Smyrna, where Trebonius resided, without any show of hostility, or forces sufficient to give any great alarm, pretending to desire nothing more than a free passage through the country to his own province. Trebonius refused to admit him into the

A. Urb. 710. Cic. 64. Cons.—C. Vibius Pansa. A. Hirtius.

at Smyrna before day, found it, as he expected, negligently guarded, and without any apprehension of an assault; so that his soldiers, by the help of ladders, presently mounting the walls, possessed themselves of it without opposition, and seized Trebonius himself in his bed, before he knew any thing of his danger<sup>1</sup>.

Dolabella treated him with the utmost cruelty; kept him two days under torture, to extort a discovery of all the money in his custody; then ordered his head to be cut off, and carried about on a spear; and his body to be dragged about the streets, and thrown into the sea<sup>2</sup>. This was the first blood that was spilt on the account of Cæsar's death; which was now revenged in kind upon one of the principal conspirators, and the only one who was of consular rank. It had been projected, without doubt, in concert with Antony, to make the revenge of Cæsar's death the avowed cause of their arms, in order to draw the veterans to their side, or make them unwilling, at least, to act against them: and it gave a clear warning to Brutus and his associates, what they were to expect, if their enemies prevailed, as well as a sad presage to all honest men, of the cruel effects and merciless fury of the impending war.

On the news of Trebonius's death, the senate was summoned by the consul, where Dolabella was unanimously declared a public enemy, and his estate confiscated. Calenus himself first proposed the vote, and said, that if any thing more severe could be thought of, he would be for it: the indignation of the city was so inflamed, that he was forced to comply with the popular humour, and hoped, perhaps, to put some difficulty upon Cicero, who, for his relation to Dolabella, would, as he imagined, be for moderating the punishment. But though Calenus was mistaken in this, he was concerned in moving another question which greatly perplexed Cicero, about the choice of a general, to manage this new war against Dolabella. Two opinions were proposed: the one, that P. Servilius should be sent with an extraordinary commission; the other, that the two consuls should jointly prosecute that war, with the provinces of Syria and Asia allotted to them. This was very agreeable to Pansa, and pushed, therefore, not only by his

<sup>1</sup> App. 3. p. 542.

<sup>2</sup> Consecutus est Dolabella, nulla suspicione belli.—Secutæ collocutiones familiares cum Trebonio; complexusque summæ benevolentia—nocturnus introitus in Smyrnæ, quasi in hostium urbem; oppressus Trebonius—interficere captum statim noluit, ne nimis, credo, in victoria liberalis videretur. Cum verborum contumeliis optimum virum incesto ore lacerasset, tum verberibus ac tormentis quæstionem habuit pecuniæ publicæ, idque per biduum. Post cervicibus fractis caput abscidit, idque adfixum gestari jussit in pilo; reliquum corpus tractum ac laniatum abjecit in mare, &c. Philip. 11. 2, 3.

A. Urb. 710. Cæ. 64. Cons.—C. Vibius Pansa. A. Hirtius.

friends, but by all Antony's party, who fancied that it would take off the attention of the consuls from the war of Italy; give Dolabella time to strengthen himself in Asia; raise a coldness between the consuls and Cicero, if he ventured to oppose it; and, above all, put a public affront upon Cassius; who, by his presence in those parts, seemed to have the best pretension to that commission. The debate continued through the first day, without coming to any issue; and was adjourned to the next. In the meanwhile, Cassius's mother-in-law, Servilia, and other friends, were endeavouring to prevail with Cicero to drop the opposition, for fear of alienating Pansa: but in vain; for he resolved, at all hazards, to defend the honour of Cassius; and when the debate was resumed the next morning, exerted all his interest and eloquence to procure a decree in his favour.

He began his speech by observing that, in their present grief for the lamentable fate of Trebonius, the republic, however, would reap some good from it, since they now saw the barbarous cruelty of those who had taken arms against their country: for of the two chiefs of the present war, the one, by effecting what he wished, had discovered what the other aimed at<sup>1</sup>. That they both meant nothing less than the death and destruction of all honest men; nor would be satisfied, it seemed, with simple death, for that was the punishment of nature, but thought the rack and tortures due to their revenge: that what Dolabella had executed, was the picture of what Antony intended: that they were a true pair, exactly matched, marching by concert and equal paces in the execution of their wicked

A. Urb. 710. Cic. 64. Coss.—C. Vibius Pansa. A. Hirtius.

what his very adversaries could not object to him with modesty. Yet, this man, good gods ! was once mine : for I was not very curious to inquire into his vices : nor should I now, perhaps, have been his enemy, had he not shewn himself an enemy to you, to his country, to the domestic gods and altars of us all ; nay, even to nature and humanity itself<sup>1</sup>.” He exhorts them, from this warning given by Dolabella, to act with the greater vigour against Antony : for if he, who had about him but a few of those capital incendiaries, the ringleaders of rapine and rebellion, durst attempt an act so abominable, what barbarity were they not to expect from Antony, who had the whole crew of them in his camp ? the principal of whom he describes by name and character ; and adds, that as he had often dissented unwillingly from Calenus, so now, at last, he had the pleasure to agree with him, and to let them see, that he had no dislike to the man, but to the cause : that, in this case, he not only concurred with him, but thanked him for propounding a vote so severe and worthy of the republic, in decreeing Dolabella an enemy, and his estate to be confiscated<sup>2</sup>. Then, as to the second point, which was of greater delicacy, the nomination of a general to be sent against Dolabella, he proceeds to give his reasons for rejecting the two opinions proposed ; the one, for sending Servilius, the other, for the two consuls : of the first, he says, that extraordinary commissions were always odious where they were not necessary, and wherever they had been granted, it was in cases very different from this : that if the commission in debate should be decreed to Servilius, it would seem an affront to all the rest of the same rank, that being equal in dignity, they should be thought unworthy of the same honour : that he himself, indeed, had voted an extraordinary commission to young Cæsar ; but Cæsar had first given an extraordinary protection and deliverance to them : that they must either have taken his army from him, or decreed the command of it to him ; which could not, therefore, be so properly said to be given, as not taken away : but that no such commission had ever been granted to any one, who was wholly idle and unemployed<sup>3</sup>. As to the second opinion, of decreeing that province to the consuls, he shews it to be both against the dignity of the consuls themselves, and against the public service : that when D. Brutus, a consul elect, was actually besieged, on the preservation of whom their common safety depended ; and when a dreadful war was on foot, already entrusted to the two consuls, the very mention of Asia and Syria, would give a handle to jealousy and envy ; and, though the decree was not

<sup>1</sup> Ibid. 4.

<sup>2</sup> Ibid. 5, 6.

<sup>3</sup> Ibid. 7, 8.

A. Urb. 710. Cic. 64 Cons.—C. Vibius Pansa. A. Iulius.

to take place till D. Brutus should first be relieved, yet a new commission would necessarily take off some part of their thoughts and attention from the old. Then addressing himself to Pansa, he says, that though his mind, he knew, was intent on delivering D. Brutus, yet the nature of things would force him to turn it sometimes towards Dolabella; and that, if he had more minds than one, they should all be directed and wholly fixed on Modena<sup>1</sup>: that, for his own part, he had resigned, in his consulship, a rich and well furnished province, that nothing might interrupt his endeavours to quench that flame which was then raised in his country: he wished that Pansa would imitate him, whom he used to commend: that if the consuls, however, desired to have provinces, as other great men had usually done, let them first bring D. Brutus ~~safe~~ home to them; who ought to be guarded with the same care as the image that fell from heaven, and was kept in the temple of Vesta, in the safety of which they were all safe: that this decree would create great delay and obstruction to the war against Dolabella; which required a general prepared, equipped, and already invested with command; one who had authority, reputation, an army, and a resolution, tried in the service of his country<sup>2</sup>: that it must, therefore, either be Brutus or Cassius, or both of them: that Brutus could not be spared from Macedonia, where he was quelling the last efforts of the faction, and oppressing C. Antony, who, with the remains of a broken army, was still in possession of some considerable places: that when he had finished that work, if he found it of use to the commonwealth to pursue Dolabella: he would do it of himself

A. Urb. 710. Cic. 64. Cons.—C. Vibius Pansa. A. Hirtius.

posed a decree to this effect: that whereas the senate has declared P. Dolabella to be an enemy of the Roman people, and ordered him to be pursued by open war; to the intent that he may suffer the punishment due to him, both from gods and men; it is the will of the senate, that C. Cassius, proconsul, shall hold the province of Syria, in the same manner as if he had obtained it by right of law; and that he receive the several armies from Q. Marcius Crispus, proconsul; L. Statius Marcus, proconsul; A. Allienus, lieutenant; which they are hereby required to deliver to him: that with these, and what other forces he can procure, he shall pursue Dolabella both by land and sea: that, for the occasions of the war, he shall have a power to demand ships, seamen, money, and all things useful to him, from whomsoever he thinks fit, in Syria, Asia, Bithynia, Pontus: and that, whatever province he comes into in prosecuting the war, he shall have an authority superior to that of the proper governor; that if king Deiotarus, the father, or the son, shall assist C. Cassius, proconsul, with their troops, as they have oft assisted the Roman people in other wars, their conduct will be acceptable to the senate and people; that if any of the other kings, tetrarchs, and potentates, shall do the like, the senate and people will not be unmindful of their services: that, as soon as the public affairs were settled, C. Pansa and A. Hirtius, the consuls, one or both of them, should take the first opportunity of moving the senate about the disposal of the consular and prætorian provinces; and that in the mean while, they should all continue in the hands of those who now held them, till successors were appointed by the senate<sup>1</sup>.

From the senate, Cicero went directly into the Forum, to give the people an account of the debate, and recommend to them the interests of Cassius: hither Pansa followed him, and to weaken the influence of his authority, declared to the citizens, that what Cicero contended for, was against the will and advice of Cassius's nearest friends and relations: of which Cicero gives the following account in a letter to Cassius:—

“M. T. CICERO TO C. CASSIUS.

“WITH what zeal I defended your dignity, both in the senate and with the people, I would have you learn rather from your other friends than from me. My opinion would easily have prevailed in the senate, had not Pansa eagerly opposed it. After I had proposed that vote, I was produced to the people by Servilius, the tribune, and said every thing which I

<sup>1</sup> Ibid. 12, &c.

A. Urb. 719. Chr. 64. Cons.—C Vibius Pansa. A. Hirtius.

could of you, with a strength of voice that filled the Forum, and with such a clamour and approbation of the people, that I had never seen the like before. You will pardon me, I hope, for doing it against the will of your mother-in-law. The timorous woman was afraid that Pansa would be disgusted. Pansa, indeed, declared to the assembly, that both your mother and brother were against it; but that did not move me, I had other considerations more at heart: my regard was to the republic, to which I have always wished well, and to your dignity and glory. But there is one thing which I enlarged upon in the senate, and mentioned also to the people, in which I must desire you to make my words good: for I promised, and in a manner assured them, that you neither had, nor would wait for our decrees; but would defend the republic yourself in your own way: and though we had heard nothing, either where you were, or what forces you had; yet I took it for granted, that all the forces in those parts were your's; and was confident, that you had already recovered the province of Asia to the republic: let it be your care to outdo yourself, in endeavouring still to advance your own glory. Adieu<sup>1</sup>."

As to the issue of the contest, some writers tell us that it ended as Cicero desired: but it is evident, from the letter just recited, and more clearly still from other letters, that Pansa's authority prevailed against him for granting the commission to the consuls<sup>2</sup>. Cassius, however, as Cicero advised and declared, had little regard to what they were decreeing at Rome; but undertook the whole affair himself, and soon put an end

A. Urb. 710. Cic. 64. Coss.—C. Vibius Pansa. A. Hirtius.

**designed it to be, a standing monument to posterity, that the safety of the republic had been the constant object of his counsels.**

**D. Brutus was reduced by this time to such straits in Modena, that his friends began to be greatly alarmed for him; taking it for granted, that if he fell into Antony's hands, he would be treated no better than Trebonius. The mention, therefore, of a pacification being revived in the senate, and recommended by Pansa himself, upon an intimation given by Antony's friends, that he was now in a disposition to submit to reason, Cicero, out of a concern for Brutus's safety, consented to the decree of a second embassy, to be executed by himself and Servilius, together with three other consular senators: but finding, upon recollection, that there appeared no symptoms of any change in Antony, and that his friends produced no proofs of it, nor any thing new in his conduct, he was convinced that he had made a false step, and that nothing more was intended than to gain time; which was of great use to Antony, as it would retard the attempts of relieving Modena, and give an opportunity to Ventidius to join him, who was marching towards him at that time, with three legions. At the next meeting, therefore, of the senate, he retracted his opinion, and declared against the late decree, as dangerous and insidious; and, in a warm and pathetic speech, pressed them to rescind it. He owns that it was indecent for one, whose authority they had so often followed in the most important debates, to declare himself mistaken and deceived; yet his comfort was, that it was in common with them all, and with a consul of the greatest wisdom: that when Piso and Calenus, who knew Antony's secret, the one of whom entertained his wife and children at his house, the other was perpetually sending and receiving letters from him, began to renew, what they had long intermitted, their exhortations to peace; and when the consul thought fit to exhort the same thing, a man whose prudence could not easily be imposed upon, whose virtue approved no peace, but on Antony's submission, whose greatness of mind preferred death to slavery, it was natural to imagine, that there was some special reason for all this, some secret wound in Antony's affairs, which the public was unacquainted with; especially when it was reported, that Antony's family was under some unusual affliction, and his friends in the senate betrayed a dejection in their looks: for if there was nothing in it, why should Piso and Calenus, above all others; why at that time; why so unexpectedly, so suddenly, move for peace? yet now, when they had entangled the senate in a pacific embassy, they both denied that there was any thing new or particular, which**

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induced them to it<sup>1</sup>: that there could be no occasion, therefore, for new measures, when there was nothing new in the case itself: that they were drawn in, and deceived by Antony's friends, who were serving his private, not the public interest: that he had seen it from the first, though but darkly, his concern for Brutus having dazzled his eyes, for whose liberty, if a substitute could be accepted, he would freely offer himself to be shut up in his place: that if Antony would humble himself, and sue to them for any thing, he should, perhaps, be far hearing him: but while he stood to his arms, and acted offensively, their business was to resist force by force. But they would tell him, perhaps, that the thing was not in their power, since an embassy was actually decreed. "But what is it," says he, "that is not free to the wise, which it is possible to retrieve? it is the case of every man to err, but the part only of a fool to persevere in error: if we have been drawn away by false and fallacious hopes, let us turn again into the way: for the surest harbour to a penitent is a change of his conduct<sup>2</sup>." He then shows how the embassy, so far from being of service, would certainly hurt, nay, had already hurt the republic, by checking the zeal of the towns and colonies of Italy, and the courage of the legions, which had declared for them, who could never be eager to fight, while the senate was sounding a retreat<sup>3</sup>. That nothing was more unjust, than to determine any thing about peace, without the consent of those who were carrying on the war; and not only without, but against their consent: that Hirtius and Cæsar had no thoughts

A. Urb. 710. Cic. 64. Coas.—C. Vibius Pansa. A. Hirtius.

robe of war, taken arms, sent out all the youth of Italy; that, with a most flourishing and numerous army, we should send an embassy at last for peace; and must I bear a part in that embassy, or assist in that council, where, if I differ from the rest, the people of Rome can never know it? so that, whatever concessions are made to Antony, or whatever mischief he may do hereafter, it must be at the hazard of my credit." He then shows, that if an embassy must needs be sent, he, of all men, was the most improper to be employed in it: that he had ever been against any embassy; was the mover of their taking the habit of war; was always for the severest proceedings both against Antony and his associates; that all that party looked upon him as prejudiced, and Antony would be offended at the sight of him<sup>1</sup>. That if they did not trouble themselves how Antony might take it, he begged them at least to spare him the pain of seeing Antony, which he should never be able to bear; who, in a speech, lately, to his parricides, when he was distributing rewards to the boldest of them, had promised Cicero's estate to Petissius: that he should never endure the sight of L. Antony, whose cruelty he could not have escaped, but by the defence of his walls and gates, and the zeal of his native town: that though he might be able to command himself, and dissemble his uneasiness at the sight of Antony and his crew, yet some regard should be had to his life; not that he set any value upon it himself, but it ought not to be thought despicable by the senate and people of Rome; since, if he did not deceive himself, it was he who, by his watchings, cares, and votes, had managed matters so, that all the attempts of their enemies had not hitherto been able to do them any harm<sup>2</sup>. That if his life had been oft attempted at home, where the fidelity of his friends, and the eyes of all Rome were his guard; what might he not apprehend from so long a journey? that there were three roads from Rome to Modena; the Flaminian, along the upper sea; the Aurelian, along the lower; the Cassian, in the middle: that they were all of them beset by Antony's allies, his own utter enemies: the Cassian, by Lento: the Flaminian, by Ventidius; the Aurelian, by the whole Clodian family<sup>3</sup>. That he would stay, therefore, in the city, if the senate would give leave, which was his proper seat, his watch, and station: that others might enjoy camps, kingdoms, military commands; he would take care of the city, and the affairs at home, in partnership with them: that he did not refuse the charge, but it was the people who refused it for him; for no man was less timorous, though none more cautious

<sup>1</sup> Ibid. 7.

<sup>2</sup> Ibid. 8.

<sup>3</sup> Ibid. 9.

A. Urb. 710. Cic. 64. Cons.—C. Vibius Pansa. A. Hirtius.

than he: that a statesman ought to leave behind him a reputation of glory in dying, not the reproach of error and folly: "Who," says he, "does not bewail the death of Trebonius? yet there are some who say, though it is hard indeed to say it, that he is the less to be pitied, for not keeping a better guard against a base and detestable villain: for wise men tell us, that he who professes to guard the lives of others, ought, in the first place, to keep a guard upon his own." That, if he should happen to escape all the snares of the road, Antony's rage was so furious, that he would never suffer him to return alive from the congress: that, when he was a young volunteer, in the wars of Italy, he was present at a conference of Cn. Pompey, the consul, and P. Vettius, the general of the Marsi, held between the two camps; there was no fear, no suspicion, nor any violent hatred, on either side: that there was an interview, likewise, between Sylla and Scipio, in their civil wars, where, though faith was not strictly observed, yet no violence was offered: but the case was different in treating with Antony, where, if others could be safe, he, at least, could not: that Antony would never come into their camp, much less they into his: that, if they transacted affairs by letter, his opinion would always be one and the same; to reduce every thing to the will of the senate: that this would be misrepresented to the veterans, as severe and perverse; and might excite them, perhaps, to some violence. "Let my life, therefore," says he, "be reserved to the service of my country, as long as either dignity or nature will allow: let my death fall by the necessary course of fate: or if I must meet it sooner, let me meet it with

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labouring also, by his letters, to shake the resolution of Hirtius and Octavius, and draw them off from the cause which they were now serving: but their answers seem to have been short and firm; referring him constantly to the authority of the senate: yet, as things were now drawing towards a crisis, we made one effort more upon them; and, in the following expostulatory letter, reproached them, with great freedom, for deserting their true interest, and suffering themselves to be duped, and drawn in by Cicero, to revive the Pompeian cause, and establish a power, which, in the end, would destroy them.

“ANTONIUS TO HIRTIUS AND CÆSAR.

“UPON the news of Trebonius’s death, I was equally affected both with joy and with grief. It was matter of real joy to me, to see a villain suffer the vengeance due to the ashes of the most illustrious of men; and that, within the circle of the current year, the Divine providence has displayed itself, by the punishment of parricide, inflicted already on some, and ready to fall upon the rest. But, on the other hand, it is a subject of just grief to me, that Dolabella should be declared an enemy, because he has killed a murderer; and that the son of a buffoon should be dearer to the people of Rome than Cæsar, the father of his country: but the cruellest reflection of all is, that you, Hirtius, covered with Cæsar’s favours, and left by him in a condition which you yourself wonder at; and you too, young man, who owe every thing to his name, are doing all which is in your power, that Dolabella may be thought justly condemned; that this wretch be delivered from the siege; and Cassius and Brutus be invested with all power. You look upon the present state of things as people did upon the past; call Pompey’s camp the senate; have made the vanquished Cicero your captain; are strengthening Macedonia with armies; have given Africa to Varus, twice a prisoner; have sent Cassius into Syria; suffered Casca to act as tribune; suppressed the revenues of the Julian Luperci; abolished the colonies of veterans, established by law and the decree of the senate; promise to restore to the people of Marseilles, what was taken from them by right of war; forget that a Pompeian was made incapable of any dignity by Hirtius’s law; have supplied Brutus with Appuleius’s money; applauded the putting to death Poetus and Menedemus, Cæsar’s friends, whom he made free of the city; took no notice of Theopompus, when, stripped and banished by Trebonius, he fled to Alexandria: you see Ser. Galba in your camp, armed with the same poignard with which he stabbed Cæsar; have enlisted my

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soldiers, and other veterans, on pretence of destroying them who killed Cæsar; and then employ them, before they know what they are doing, against their quæstor, or their general, or their comrades: what have you not done, which Pompey himself, were he alive, or his son, if he could, would not do? In short, you deny that any peace can be made, unless I set Brutus at liberty, or supply him with provisions: can this please those veterans, who have not yet declared themselves? for as to your part, you have sold yourselves to the flattery and poisoned honours of the senate. But you come, you say, to preserve the troops which are besieged. I am not against their being saved, or going wherever you please: if they will but leave him to perish, who has deserved it. You write me word, that the mention of concord has been revived in the senate, and five consular ambassadors appointed; it is hard to believe, that those, who have driven me to this extremity when I offered the fairest conditions, and was willing to remit some part of them, should do any thing with moderation or humanity: nor is it probable, that the same men, who voted Dehella an enemy for a most laudable act, can ever forgive me, who am in the same sentiments with him. Wherefore, it is your business to reflect, which of the two is the more eligible, or more useful to our common interest; to revenge the death of Trebonius, or of Cæsar: and which the more equitable; for us to act against each other, that the Pompeian cause, so often defeated, may recover itself; or to join our forces lest we become, at last, the sport of our enemies; who, which of us soever may happen to fall, are sure to be gainers. But fortune

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**I can forgive the injuries of my friends, if they themselves are disposed either to forget them, or prepared, in conjunction with me, to revenge the death of Cæsar: I cannot believe that any ambassadors will come; when they do, I shall know what they have to demand<sup>1</sup>.**" Hirtius and Cæsar, instead of answering this letter, sent it directly to Cicero, at Rome, to make what use of it he thought fit with the senate, or the people.

In this interval, Lepidus wrote a public letter to the senate, to exhort them to measures of peace, and to save the effusion of civil blood, by contriving some way of reconciling Antony and his friends to the service of their country; without giving the least intimation of his thanks for the public honours, which they had lately decreed to him. This was not at all agreeable to the senate, and confirmed their former jealousy of his disaffection to the republic, and good understanding with Antony. They agreed, however, to a vote proposed by Servilius, that Lepidus should be thanked for his love of peace, and care of the citizens, yet should be desired, not to trouble himself any farther about it, but to leave that affair to them; who thought there could be no peace, unless Antony should lay down his arms, and sue for it. This letter gave Antony's friends a fresh handle to renew their instances for a treaty, for the sake of obliging Lepidus, who had it in his power, they said, to force them to it; which put Cicero once more to the trouble of confuting and exposing all their arguments. He told them, that he was ever afraid, from the first, lest an insidious offer of peace should damp the common zeal, for the recovery of their liberty: that, whoever delighted in discord, and the blood of citizens, ought to be expelled from the society of human kind: yet it was to be considered, whether there were not some wars, wholly inexpiable; where no peace could be made, and where a treaty of peace was but a stipulation of slavery<sup>2</sup>: that the war now on foot was of this sort; undertaken against a set of men who were natural enemies to society; whose only pleasure it was to oppress, plunder, and murder their fellow-creatures; and to restore such to the city, was to destroy the city itself<sup>3</sup>. That they ought to remember what decrees they had already made against them, such as had never been made against a foreign enemy, or any with whom there could be peace: that since wisdom, as well as fortitude, was expected from men of their rank, though these indeed could hardly be separated, yet he was willing to consider them separately, and follow what wisdom, the more cautious and guarded of the two, prescribed.

<sup>1</sup> Vid. Philip. 10. 13, &c.

<sup>2</sup> Ibid. 13. 1.

<sup>3</sup> Ibid. 2.

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—“If wisdom, then,” says he, “should command me to hold nothing so dear as life: to decree nothing at the hazard of my soul: to avoid all danger, though slavery was sure to be the consequence: I would reject that wisdom, be it ever so learned: but if it teaches us to preserve our lives, our fortunes, our families, yet so as to think them inferior to liberty; to wish to enjoy them no longer than we can do it in a free republic; not to part with our liberty for them, but to throw them all away for liberty, as exposing us only to greater mischief without it; I would then listen to her voice, and obey her as a god!” That so man had a greater respect for Lepidus than himself; and though there had been an old friendship between them, yet he valued him not so much for that, as his services to the republic in prevailing with young Pompey to lay down his arms, and free his country from the misery of a cruel war: that the republic had many pledges of fidelity from Lepidus; his great nobility, great honours, high-priesthood, many parts of the city adorned by him and his ancestors, his wife, children, great fortunes pure from any taint of civil blood, no citizen ever hurt, many preserved by him: that such a man might err in judgment, but could never wilfully be an enemy to his country. That his desire of peace was laudable, if he could make such a peace for them now, as when he restored Pompey to them. That for this they had decreed him greater honours than had been given before to any man, a statue with a splendid inscription, and a triumph even in absence.—That, by good fortune, they had managed matters so, that Pompey’s return might

prevent all the consequences of Caesar’s acts, which, for the sake of

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his own<sup>1</sup>. That if he interposed his authority without arms, that was indeed the more laudable, but would hardly be thought necessary: for, though his authority was as great with them as that of the noblest citizen ought to be, yet the senate was not mindful of their own dignity; and there never was a graver, firmer, stouter senate than the present. That they were all so incensed against the enemies of their liberty, that no man's authority could repress their ardour, or extort their arms from them. That they hoped the best, but would rather suffer the worst than live slaves<sup>2</sup>. That there was no danger to be apprehended from Lepidus, since he could not enjoy the splendour of his own fortunes, but with the safety of all honest men. That nature first makes men honest, but fortune confirms them: for though it was the common interest of all to promote the safety of the public, yet it was more particularly of those who were happy in their fortunes. That nobody was more so than Lepidus, and nobody, therefore, better disposed: of which the people saw a remarkable instance, in the concern which he expressed, when Antony offered a diadem to Cæsar, and chose to be his slave rather than his colleague; for which single act, if he had been guilty of nothing else, he had richly deserved the worst punishment<sup>3</sup>. Then, after inveighing, as usual, against Antony, through several pages, he declared all thoughts of peace with him to be vain; and, for a fresh proof of it, produced his last letter to Hirtius and Octavius, and read it publicly to the assembly: not that he thought it worth reading, he says, but to let them see his traitorous views openly avowed and confessed by himself. He read it to them paragraph by paragraph, with his own comment and remarks upon it; rallying all along, with great wit and spirit, the rage, the extravagance, the inconsistency, the folly, and the inaccuracy of each sentence. On the whole, he says, that if Lepidus had seen it, he would neither have advised, or thought any peace with him possible. That fire and water would sooner unite, than the Antonies be reconciled to the republic. That the first and best thing, therefore, was to conquer; the second, to decline no danger for the liberty of their country: that there was no third thing, but the last and worst of all, to submit to the utmost baseness, through a desire of living. For which reasons, he declared his concurrence with Servilius, in the vote upon Lepidus's letters; and proposed an additional decree, either to be joined to the other, or published separately.—That Pompey the Great, the son of Cnæus, in offering his service and his troops to the senate and people of Rome, had acted agreeably

<sup>1</sup> Ibid. 6.

<sup>2</sup> Ibid. 7.

<sup>3</sup> Ibid. 8.

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to the courage and zeal of his father and ancestors; and to his own virtue, industry, and good disposition to the republic; and that the thing was grateful and acceptable to the senate and people, and would hereafter be an honour to himself.

After the debate, which ended as Cicero wished, he sent the following short letter to Lepidus, which, by the coldness and negligence with which it was drawn, seems to be designed to let Lepidus see, that they were perfectly easy and secure at Rome, whatever measures he might think fit to take.

“CICERO TO LEPIDUS.

“WHILE out of the great respect which I bear to you, I am making it my particular care to advance your dignity as much as possible, it was a concern to me, to see that you did not think it worth while to return your thanks to the senate, for the extraordinary honours which they have lately conferred upon you. I rejoice, however, that you are so desirous of making peace among citizens: if you can separate that peace from slavery, you will consult both the good of the republic, and your own dignity: but if the effect of it be, to restore a desperate man to an arbitrary dominion, I would have you to know, that all men of sense have taken a resolution to prefer death to servitude. You will act more wisely, therefore, in my judgment, if you meddle no farther with that affair of peace, which is not agreeable either to the senate or the people, or to any honest man: but you will hear enough of this from others, or be informed of it by letters, and will be directed by your

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as Lepidus's also, were received, you will understand from that excellent man your brother, and from Furnius<sup>1</sup>," &c.

C. Antony, whom we mentioned above to have retreated with seven cohorts to Apollonia, not daring to wait for Brutus's arrival, who was now advancing towards him, marched out to Buthrotum, to seek his fortune elsewhere, in quarters more secure and remote: but being overtaken and attacked on his march by a part of Brutus's army, he lost three of his cohorts in the action; and in a second engagement with another body of troops, which young Cicero commanded, was entirely routed and taken prisoner: which made Brutus absolute master of the country, without any further opposition<sup>2</sup>. This fresh success gave occasion for a second letter from Brutus to the senate; of which Cicero makes the following mention: "Your letter," says he, "which was read in the senate, shews the counsel of the general, the virtue of your soldiers, the industry of your officers, and in particular of my Cicero. If your friends had been willing to move the senate upon it, and if it had not fallen into most turbulent times, since the departure of Pansa, some just and proper honour would have been decreed for it to the gods<sup>3</sup>."

The taking C. Antony prisoner put Brutus under some difficulty in what manner he should treat him: if he set him at liberty, to which he was inclined, he had reason to apprehend fresh trouble from him, both to himself and the republic: if he kept him prisoner in his camp, he was afraid, lest some sedition might be raised on his account, and, by his intrigues, in his own army: or, if he put him to death, that it would be thought an act of cruelty, which his nature abhorred. He consulted Cicero, therefore, upon it, by letter. "C. Antony," says he, "is still with me; but, in truth, I am moved with the prayers of the man, and afraid lest the madness of some should make him the occasion of some mischief to me. I am wholly at a loss what to do with him. If I knew your mind, I should be at ease: for I should think that the best which you advised<sup>4</sup>." Cicero's advice was, to keep him under a safe guard, till they knew the fate of D. Brutus in Modena<sup>5</sup>. Brutus,

<sup>1</sup> Ibid. 6.

<sup>2</sup> Plut. in Brut.

<sup>3</sup> Tusæ litteræ, quæ in Senatu recitatæ sunt, et Imperatoris consilium et militum virtutem, et industriam tuorum, in quibus Ciceronis mei, declarant. Quod si tuis placuisset de his litteris referri, et nisi in tempus turbulentissimum post discessum Pansæ incidissent, honos quoque justus ac debitus Diis immortalibus decretus esset. Ad Brut. 2. 7.

<sup>4</sup> Antonius adhuc est nobiscum: sed medius fidius et moveor hominis precibus, et timeo ne illum aliquorum furor excipiat. Plane æstuo. Quod si scirem quid tibi placeret, sine sollicitudine essem. Id enim optimum esse persuasum esset mihi. Ad Ibid. 5.

<sup>5</sup> Quod me de Antonio consulis: quoad Bruti exitum cognovimus, custodiendum puto. Ibid. 4.

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however, treated him with great lenity, and seemed much disposed to give him his liberty: for which purpose he not only wrote to the senate about it himself, but permitted Antony to write too, and with the style of proconsul; which surprised and shocked all his friends at Rome, and especially Cicero, who expostulates with him for it in the following terms:

"On the thirteenth of April," says he, "your messenger, Pilus, brought us two letters, the one in your name, the other in Antony's, and gave them to Servilius, the tribune; he to Cornutus, the priestor. They were read in the senate. Antony, proconsul, raised as much wonder as if it had been Dolabella, emperor; from whom also there came an express; but nobody, like your Pilus, was so hardy as to produce the letters, or deliver them to the magistrates. Your letter was read; short indeed, but extremely mild towards Antony: the senate was amazed at it. For my part, I did not know how to act. Should I affirm it to be forged—what if you should own it? Should I admit it to be genuine—that was not for your honour. I chose, therefore, to be silent that day. On the next, when the affair had made some noise, and Pilus's carriage had given offence, I began the debate; said much of proconsul Antony: Sextius performed his part, and observed to me, afterwards, in private, what danger his son and mine would be liable to, if they had really taken up arms against a proconsul.—You know the man: he did justice to the cause. Others also spoke, but our friend Labeo took notice that your seal was not put to the letter; nor any date added; nor had

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opinion, but cannot depart from my own; the world expects from you nothing either remiss or cruel: it is easy to moderate the matter, by severity to the leaders,—generosity to the soldiers<sup>1</sup>.”

Cicero had now done every thing that human prudence could do towards the recovery of the republic: for all that vigour, with which it was making this last effort for itself, was entirely owing to his counsels and authority. As Antony was the most immediate and desperate enemy who threatened it, so he had armed against him the whole strength of Italy, and raised up a force sufficient to oppress him. Young Octavius, next to Antony, was the most formidable to the friends of liberty; but, from the contrast of their personal interests, and their jealousy of each other's views, Cicero managed the opportunity to employ the one to the ruin of the other; yet so as to provide, at the same time, against any present danger from Octavius, by throwing a superiority of power into the hands of the consuls; whom, from being the late ministers of Cæsar's tyranny, he had gained over to the interests of liberty. But besides the difficulties, which he had to struggle with at home, in bringing matters to this point, he had greater discouragements abroad, from the commanders of the several provinces: they were all promoted to those governments by Cæsar, the proper creatures of his power, and the abettors of his tyranny<sup>2</sup>; and were now full of hopes, either of advancing themselves to dominion, or to a share of it, at least, by espousing the cause of some more powerful pretender. Men of this turn, at the head of great and veteran armies, would not easily be persuaded to submit to a senate which they had been taught to despise, or to reduce the military power, which had long governed all, to a dependance on the civil. Yet Cicero omitted no pains of exhorting them, by letters, and inviting them, by honours, to prefer the glory of saving their country, to all other views whatsoever. Those, whom he most distrusted, and for that reason most particularly pressed, were Lepidus, Pollio, and Plancus; who by the strength of their armies, and their possession of Gaul and Spain, were the best qualified to serve or to distress the republican cause. He had little hopes of the two first; yet managed them so well, by representing the strength of the honest party, the unanimity of the senate, of the consuls, and all Italy, that he forced them, at least, to dissemble their disaffection, and make great professions of their duty; and, above all, to stand neuter till the affairs of Italy

<sup>1</sup> Ad Brut. 2. 7.

<sup>2</sup> Vides Tyranni Satellites in Imperiis: vides ejusdem exercitus; vides in latere veteranos. Ad Att. 14. 5.

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were decided, on which the fate of the republic seemed chiefly to depend. Nay, he seems to have drawn Plancus entirely into his measures : as appears from his account of him to Brutus', and from Plancus's own letters, in which he gives the strongest assurance of his fidelity, and offers to lead his troops to the relief of Modena ; and was actually upon his march towards it, when he heard upon the road of Antony's defeat.—Not long before which, Cicero sent him the following letter :

"CICERO TO PLANCUS.

"THOUGH I understand, from the account of my friend Furnius, what your design and resolution was, with regard to the republic ; yet after reading your letters, I was able to form a clearer judgment of your whole purpose. Wherefore, though the fate of the commonwealth depends wholly on one battle, which will be decided, I believe, when you are reading this letter, yet you have acquired great applause, by the very fame, which was every where spread, of your good intentions : and if there had been a consul at Rome, the senate by decreeing some considerable honour to you, would have declared how acceptable your endeavours and preparations were. But that time is not only not yet past, but was not in my judgment even ripe : for after all, that alone passes with me for honour, which is conferred on great men, not for the hopes of future, but the experience of past services. If, then, there be any republic, in which honour can have its proper lustre, take my

A. Urb. 710. Cic. 64. Cosa.—C. Vibius Pansa. A. Hirtius.

some extraordinary honours, at the motion of Cicero, who sent him the following account of it.

“CICERO TO PLANCUS.

“THOUGH, out of regard to the republic, my greatest joy ought to be, for your bringing such relief and help to it, in a time almost of extremity; yet, may I so embrace you after victory and the recovery of our liberty, as it is your dignity, that gives me the chief part of my pleasure; which already is, and ever will be, I perceive, as great as possible. For I would not have you think that any letters were ever read in the senate of greater weight than your’s; both for the eminent merit of your services, and the gravity of your words and sentiments: which was not at all new to me, who was so well acquainted with you, and remembered the promises of your letters to me, and understood the whole purpose of your counsels, from our Furnius: but they appeared greater to the senate than was expected; not that they ever had any doubt of your inclinations, but did not fully understand how much you were able to do, or how far you would expose yourself in the cause. When M. Varisidius, therefore, brought me your letters, very early on the seventh of April, I was transported with joy upon reading them; and, as a great multitude of excellent citizens were then waiting to attend my going abroad, I instantly gave them all a part of my pleasure. In the mean while, our friend Munatius, according to custom, came to join me: I presently shewed him your letter, of which he knew nothing before; for Varisidius came first to me, as you, he said, had ordered him; soon after, the same Munatius returned to me with the other two letters; that which you had sent to him, and that to the senate: we resolved to carry the last directly to the prætor, Cornutus, who, by the custom of our ancestors, supplies the place of the consuls in their absence. The senate was immediately called, and, upon the fame and expectation of your letters, made up a full house. After they were read, a scruple of religion was objected to Cornutus, from the report of the guardians of the Chickens, that he had not duly consulted the auspices; which was confirmed likewise by our college: so that the affair was adjourned to the next day. On that day I had a great contest about your dignity, with Servilius, who procured, by his interest, to have his opinion declared the first: but the senate left him, and all went the contrary way: but when they were coming into my opinion, which was delivered the second, the tribune, Titius, at his request, interposed his negative: and so the debate was put off again to the day following. Servilius came prepared to support his opposition,

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though against Jupiter himself, in whose temple the thing passed: in what manner I handled him, and what a struggle I had to throw off Titius's negative, I would have you learn rather from other people's letters: take this, however, from mine, that the senate could not possibly act with more gravity, firmness, and regard to your honour, than it did on this occasion; nor is the senate more friendly to you than the whole city; for the body of the people, and all ranks and orders of men, are wonderfully united in the defence of the republic. Go on, therefore, as you have begun, and recommend your name to immortality: and for all these things, which from the vain badges of outward splendour, carry a shew of glory—despise them; look upon them as trifling, transitory, perishing. True honour is placed singly in virtue; which is illustrated with most advantage by great services to our country. You have the best opportunity for this in the world: which, since you have embraced, persevere and go through with it, that the republic may not owe less to you, than you to the republic: you will find me not only the favourer, but the advancer of your dignity: this I take myself to owe both to the republic, which is dearer to me than my life, and to our friendship, &c. April the eleventh."

Plancus answered him, not long after, to the following effect.

"PLANCUS TO CICEBO.

"It is a pleasure to me to reflect, that I have never promised any thing rashly of myself to you: nor you for me to

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twenty-sixth of April; sent a thousand horse before me, by a shorter way from Vienna. As for myself, if I am not hindered by Lepidus, none shall complain of my want of expedition: if he opposes me on my road, I shall take my measures from the occasion: the troops which I bring, are, for number, mind, and fidelity, extremely firm. I beg the continuance of your affection, as long as you find yourself assured of mine. Adieu<sup>1</sup>."

Pollio, likewise, who now commanded the farther Spain, with three good legions, though he was Antony's particular friend, yet made the strongest professions to Cicero, of his resolution to defend the republic against all invaders. In one of his letters, after excusing himself, for not having written earlier and oftener, he says, "Both my nature and studies draw me to the desire of peace and liberty; for which reason I always lamented the occasion of the late war; but as it was not possible for me to be of no party, because I had great enemies every where, I ran from that camp, where I could not be safe from the treachery of an enemy; and being driven whither I least desired, freely exposed myself to dangers, that I might not make a contemptible figure among those of my rank. As for Cæsar himself, I loved him with the utmost piety and fidelity, because he treated me on the foot of his oldest friends, though known to him only in the height of his fortunes. When I was at liberty to act after my own mind, I acted so, that the best men should most applaud me: what I was commanded to do, I did so as to shew that it was done by command, and not by inclination. The unjust odium, which I suffered on that account, has sufficiently convinced me, how sweet a thing liberty is, and how wretched is life under the dominion of another. If the contest then be, to bring us all again under the power of one, whoever that one be, I profess myself his enemy: nor is there any danger which I would decline, or wish to avoid, for the sake of liberty. But the consuls have not, either by decree or letters, given me any orders what to do; I have had but one letter from Pansa, since the Ides of March; in which he exhorts me to signify to the senate, that I and my army would be in their power; but when Lepidus was declaring openly to his army, and writing to every body, that he was in the same sentiments with Antony, that step would have been wholly absurd and improper for me: for how could I get forage for my troops against his will, in marching through his province? or, if I had surmounted all other difficulties, could I fly over the Alps, which

<sup>1</sup> Ep. Fam. 10. 9.

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were possessed by his garrisons? Nobody will deny, that I declared publicly to my soldiers, at Corduba, that I would not deliver the province to any man, unless he were commissioned by the senate: wherefore you are to look upon me as one, who, in the first place, am extremely desirous of peace, and the safety of all the citizens; in the second, prepared to assert my own and my country's liberty. I am more pleased than you can imagine, that my friend Gallus is so dear to you: I envy him for walking and joking with you: you will ask, perhaps, at what rate I value that privilege; you shall know by experience, if ever it be in our power to live in quiet; for I will never stir one step from you. I am surprised that you never signified, in your letters, how I should be able to do the most service, by staying in the province, or bringing my army into Italy. For my part, though to stay be more safe, and less troublesome; yet, since I see that, in such a time as this, there is more want of legions than of provinces, which may easily be recovered; I am resolved, as things now stand, to come away with my army—from Corduba, the fifteenth of March'."

There are several letters also still extant, written at this time, from Cicero to Cornificius, who governed Afric; exhorting him, in the same manner, to firmness in the defence of the republic, and to guard his province from all invaders, who should attempt to extort it from him: and this man, after all, was the only commander, who kept his word with him, and performed his part to his country: and lost his life, at last, in maintaining that province in its allegiance to the republic.

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“CICERO TO BRUTUS.

“FROM Plancus’s letters, of which a copy, I imagine, has been sent to you, you will perceive his excellent disposition towards the republic, with the condition of his legions, auxiliaries, and whole forces. Your own people have informed you, I guess, by this time, of the levity, inconstancy, and perpetual disaffection of your friend Lepidus; who, next to his own brother, hates you, his near relations, the most. We are anxious with an expectation, which is now reduced to the last crisis: all our hopes are fixed on the delivery of D. Brutus, for whom we have been in great apprehension. For my part, I have business enough on my hands at home, with the madman Servilius; whom I have endured longer than became my dignity: but I did it for the sake of the republic, lest I should give the disaffected a leader, not well affected, indeed, himself, yet noble, to resort to; which, nevertheless, they still do. But I was not for alienating him wholly from the republic; I have now put an end to my forbearance of him: for he began to be insolent, that he looked upon no man as free. But, in Plancus’s debate, he was strangely mortified; and, after two days’ contest, was so roughly handled by me, that he will be the modester, I dare say, for the future. In the midst of our contention, on the nineteenth of April, I had letters delivered to me, in the senate, from our friend Lentulus in Asia, with an account of Cassius, the legions, and Syria; which, when I read presently in public, Servilius sunk, and many more besides; for there are some of eminent rank, who think most wickedly; but Servilius was most sensibly chagrined, for the senate’s agreeing to my motion about Plancus. The part which he acts is monstrous<sup>1</sup>.”

The news, which is mentioned in this letter to have been sent by Lentulus of Cassius’s success, was soon after confirmed by particular letters to Cicero from Brutus and Cassius themselves, signifying that Cassius had possessed himself of Syria before Dolabella arrived there; that the generals, L. Murcus, and Q. Crispus, had given up their armies to him; that a separate legion, under Cæcilius Bassus, had submitted to him against the will of their leader: that four other legions, sent by Cleopatra from Egypt, to the assistance of Dolabella, under his lieutenant Allienus, had declared for him: and, lest the first letter should miscarry, as they often did from such a distance, by passing through the enemy’s quarters, Cassius

<sup>1</sup> Ad Brut. 2. 2.

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sent him a second, with a more full and distinct account of particulars.

“CASSIUS, PROCONSUL, TO HIS FRIEND CICERO.

“If you are in health, it is a pleasure to me: I am as very well. I have read your letter, in which I perceived your wonderful affection for me; for you not only wish me well, which indeed you have always done, both for my own sake and the republic's; but entertain an uncommon concern and solicitude for me. Wherefore, as I imagined, in the first place, that you would think it impossible for me to sit still and see the republic oppressed; and, in the second, that, whenever you supposed me to be in action, you would be solicitous about my safety and success; so, as soon as I was master of the legions which Allienus brought from Egypt, I immediately wrote to you, and sent several expresses to Rome. I wrote letters also to the senate, but forbade the delivery of them till they had been first shewn to you. If these letters have not reached you, I make no doubt but that Dolabella, who by the wicked murder of Trebonius, is master of Asia, has seized my messengers, and intercepted them. I have the armies which were in Syria under my command; and having been forced to sit still a while, till I had discharged my promises to them, am now ready to take the field. I beg of you to take my honour and interests under your special care; for you know that I have never refused any danger or labour for the service of my country: that by your advice and author-

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**weight with you. Take my word for it, the army which I have is the senate's, and every honest man's, and, above all, your's: for, by hearing perpetually of your good disposition, they have conceived a wonderful affection for you; and, when they come to understand that you make their interests your special care, they think themselves indebted to you for every thing. Since I wrote this, I have heard that Dolabella is come into Cilicia with all his forces: I will follow him thither, and take care that you shall soon be informed of what I have done. I wish only that my success may be answerable to my good intentions. Continue the care of your health, and your love to me<sup>1</sup>."**

Brutus, who had sent this good news before to Cicero, as well as to his mother, and sister Tertia, charged the latter not to make it public till they had first consulted Cicero, whether it was proper to do so or not<sup>2</sup>. He was afraid lest the great prosperity of Cassius might give umbrage to the Cæsarian party, and raise a jealousy in the leaders, who were acting against Antony, that the republican interest would grow too strong for them. But Cicero sent him word that the news was already known at Rome, before his letters arrived; and though there was some ground for his apprehensions, yet on the whole, they thought it more advisable to publish than to suppress it<sup>3</sup>.

Thus Cicero, as he declared to the senate, by his letters, expresses, and exhortations, was perpetually exciting all, who had power or command in any part of the empire, to the common defence of their liberty<sup>4</sup>; and, for his pains, had all the rage and malice of the factious to struggle with at home. These were particularly troublesome to him at this time, by spreading false reports every day from Modena, of Antony's success, or, what was more to be apprehended, of his union with the consuls against D. Brutus: which raised such a terror through the city, that all honest men were preparing to run away to Brutus or Cassius<sup>5</sup>. Cicero, however, was not disheartened at it, but in the general consternation, appeared cheerful and easy; and, as he sends word to Brutus, had a perfect confidence in the consuls, while the majority of his

<sup>1</sup> Ep. Fam. 12. 12. vid. ib. 11.

<sup>2</sup> Ego scripsi ad Tertiam sororem et matrem, ne prius ederent hoc, quod optime ac felicissime gessit Cassius, quam tuum consilium cognovissent. Ad Brut. 2. 5.

<sup>3</sup> Video te veritum esse, id quod verendum fuit, ne animi partium Cæsaris—vehementer commoverentur. Sed antequam tuas litteras accepimus, audita res erat et pervulgata. Ibid. 6.

<sup>4</sup> Meis litteris, meis nunciis, meis cohortationibus, omnes, qui ubique essent, ad patriæ præsidium excitatos. Philip. 14. 7.

<sup>5</sup> Triduo vero aut quatruiduo—timore quodam perculsa civitas tota ad te se cum conjugibus et liberis effundebat. Ad Brut. 3. vid. it. Ep. Fam. 12. 2.

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friends distrusted them; and, from the number and firmness of their troops, had but little doubt of their victory, if ever they came to a battle with Antony<sup>1</sup>. But what touched him more sensibly, was a story kept up for some days with great industry, that he had formed a design to make himself master of the city, and declare himself dictator, and would appear publicly with the fasces within a day or two. The report, as groundless as it was, seems to have disturbed him; but when Appuleius, the tribune, one of his warm friends, was taking pains to confute it, and justify him in a speech to the people, they all cried out, with one voice, that Cicero had never done, nor designed to do, any thing, but what was the best and most beneficial to the republic<sup>2</sup>: this gave him some comfort; but what brought him much greater was, the certain news of a victory gained over Antony, at Modena, which arrived within a few hours after Appuleius's speech<sup>3</sup>.

The siege of Modena, which lasted near four months, was one of the most memorable in all antiquity, for the vigour both of the attack and the defence. Antony had invested it so closely, and posted himself so advantageously, that no succour could be thrown into it; and Brutus, though reduced to the utmost straits, defended it still with the greatest resolution. The old writers have recorded some stratagems, which are said to have been put in practice on this occasion, how Hirtius provided men skilled in diving, with letters written on lead, to pass into the towns under the river which runs through it: till Antony obstructed that passage, by nets and traps

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**Galba**, one of the conspirators against Cæsar, who bore a principal part and command in it.

“ GALBA TO CICERO.

“ ON the fifteenth of April, the day on which Pansa was to arrive in Hirtius’s camp (in whose company I was, for I went a hundred miles to meet him, on purpose to hasten his march), Antony drew out two of his legions, the second, and thirty-fifth, and two prætorian cohorts; the one his own, the other Silanus’s with part of the Evocati<sup>1</sup>, and came forward to us, imagining that we had nothing but four legions of new levies. But in the night, to secure our march to the camp, Hirtius had sent us the martial legion, which I used to command, and two prætorian cohorts. As soon as Antony’s horse appeared in sight, neither the martial legion nor the prætorian cohorts could be restrained from attacking them; so that when we could not hold them in, we were obliged to follow them against our wills. Antony kept his forces within Castel Franco<sup>2</sup>: and, being unwilling to have it known that he had his legions with him, shewed only his horse and light-armed foot. When Pansa saw the martial legion running forward against his orders, he commanded two of the new raised legions to follow him. As soon as we got through the straits of the morass and the woods, we drew up the twelve cohorts in order of battle. The other two legions were not yet come up. Antony immediately brought all his troops out of the village, ranged likewise in order of battle, and, without delay, engaged us. At first they fought so briskly on both sides, that nothing could possibly be fiercer; though the right wing, in which I was, with eight cohorts of the martial legion, put Antony’s thirty-fifth legion to flight at the first onset, and pursued it above five hundred paces from the place where the action began: wherefore, observing the enemy’s horse attempting to surround our wing, I began to retreat, and ordered the light-armed troops to make head against the Moorish horse and prevent their coming upon us behind. In the mean while, I perceived myself in the midst of Antony’s men, and Antony himself but a little way behind me; upon which, with my shield thrown over my shoulder, I pushed on my horse with all speed towards the new legion that was coming towards us from the camp: and, whilst Antony’s men were pursuing me, and our’s, by mistake, throwing javelins at me,

<sup>1</sup> The Evocati were a choice body of veteran soldiers, who after their dismissal from service, being yet vigorous and fit for war, were invited to it again, as a sort of volunteers, by the consul or general, and distinguished from the rest by peculiar privileges.

<sup>2</sup> Ad Forum Gallorum: now called Castel Franco, a small village on the Æmilian way, between Modena and Bologna. Cluver. Ital. Ant. l. 1. c. 28.

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I was preserved, I know not how, by being presently known to our soldiers. Cæsar's prætorian cohort sustained the fight a long time on the Æmilian road: but our left wing, which was the weaker, consisting of two cohorts of the martial legion, and the prætorian of Hirtius, began to give ground, being surrounded by Antony's horse, in which he is very strong. When all our ranks had made good their retreat, I retreated myself the last to our camp. Antony, as the conqueror, fancied that he could take it; but upon trial, lost many of his men in the attempt, without being able to do us any hurt. Hirtius, in the mean time, hearing of the engagement, marched out with twenty veteran cohorts, and meeting Antony on his return, entirely routed and put to flight his whole army, in the very same place where they had fought before at Castel Franco. About ten at night, Antony regained his camp at Modena, with all his horse. Hirtius retired to that camp which Pansa had quitted in the morning, and where he left the two legions, which Antony attacked. Thus Antony has lost the greater part of his veteran troops, yet not without some loss of our prætorian cohorts, and the martial legion: we took two of Antony's eagles, and sixty standards; and have gained a considerable advantage<sup>1</sup>.

Besides this letter from Galba, there came letters also severally from the two consuls and Octavius; confirming the other account, with the addition of some farther particulars: that Pansa fighting bravely at the head of his troops, had received two dangerous wounds, and was carried off the field to Bologna: that Hirtius had scarce lost a single man: and that to

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The news reached Rome on the twentieth of April, where it raised an incredible joy, and the greater we may imagine, from the late terrors, which they had suffered from contrary reports. The whole body of the people assembled presently about Cicero's house, and carried him in a kind of triumph to the capitol, whence, on their return, they placed him in the rostra, to give them an account of the victory; and then conducted him home with infinite acclamations: so that, in a letter upon it to Brutus, he says, that he reaped, on that day, the full fruit of all his toils, if there be any fruit in true and solid glory<sup>1</sup>.

The day following the senate was summoned by Cornutus, the prætor, to deliberate on the letters of the consuls and Octavius: Servilius's opinion was, that the city should now quit the sagum, and take the common gown again: and that a public thanksgiving should be decreed jointly to the honour of the consuls and Octavius. Cicero spoke next, and declared strongly against quitting the sagum, till D. Brutus was first delivered from the siege: that it would be ridiculous to put it off, till they should see him in safety, for whose sake they had put it on: that the motion for quitting it, flowed from envy to D. Brutus; to deprive him of the glory that it would be to his name, to have it delivered to posterity, that the people of Rome had put on the sagum for the danger, and resumed the gown for the preservation of one citizen: he advised them, therefore, to continue in their former mind, of thinking the whole danger and stress of the war to depend on D. Brutus; and though there was reason to hope, that he was already safe, or would shortly be so, yet they should reserve the fruit of that hope to fact and the event, lest they should be found too hasty in snatching the favour of the gods, or foolish in contemning the power of fortune<sup>2</sup>. Then, as to the decree of the thanksgiving, he urges Servilius with omitting two things in his vote, which ought necessarily to have accompanied it; the giving Antony the title of enemy, and their own generals of emperors. "The swords of our soldiers are dyed," says he, "or rather moistened only, as yet, with blood: if it was the blood of enemies it was an act of the utmost piety; if of citizens, the most detestable wickedness; how long then shall he, who has outdone all enemies in villany, go without the name of enemy? he is now waging an inexpiable war with four consuls, with the

<sup>1</sup> Cum hesterno die me ovantem ac prope triumphantem populus Romanus in Capitolium domo tulerit, domum inde reduxerit? Philip. 14. 5.

Quo quidem die magnorum meorum laborum,—fructum cepi maximum; si modo est aliquis fructus ex solida veraque gloria, &c. Ad Brut. 3.

<sup>2</sup> Philip. 14. 1. 2.

senate and people of Rome, denounces plagues, devastation, the rack and torments to which he confesses that Dolabella's horrid act, which no barbarians would own, was done by him; avarice declares what he would have done to this city, by the authority of the people of Parma: Honest and excellent men, the interests of the senate and people: whom L. Antony, the disgrace of his species, put to death by all the means in his power. That Hannibal was never so barbarous as Dolabella was to Parma. He conjures them to remember that they had all been terrified, for two days, by the reports which spread about the city; and were excited to death, or lamentable flight; and that they were now these men enemies, from whom they were now delivered. He then proposed to enlarge the festival of the thanksgiving, since it was not to be decreed, but to three generals jointly: to whom, in the next place, he would give the title of emperors, since there had not been a supplication decreed without it for twenty years past: so that Servilius should either not have decreed it at all, or allowed equal honour to those, to whom even new and unusual honours were due. That if, according to the present custom, the title of emperor was commonly given, for killing a thousand Gauls, or Thracians; how could they refuse it to those, whose so many legions were routed, and such a city delivered? "For with what honours," says he, "should our deliverers themselves be received into this temple, when yesterday, on the account of what they have done, the people of Rome carried me into the

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the thing itself was manifest, and the whole affair should be laid open in proper time. That he had said all this, not to purge himself to them, to whom he should be sorry to want an apology, but to admonish certain persons, of jejune and narrow minds, to look upon the virtue of excellent citizens, as the object of their imitation, not of their envy; since the republic was a wide field, where the course of glory was open to many<sup>1</sup>: that if any man contested with him the first place in the government, he acted foolishly if he meant to do it by opposing vice to virtue: that as the race was gained by running the fastest, so virtue was only to be conquered by a superior virtue: that they could never get the better of him by bad votes; by good ones, perhaps, they might, and he himself should be glad of it: that the people of Rome were perpetually inquiring, how men of their rank voted and acted, and formed their judgment of them accordingly: that they all remembered how in December last, he was the author of the first step towards recovering their liberty: how from the first of January, he had been continually watching over the safety of the commonwealth: how his house and his ears were open day and night to the advices and informations of all who came to him: how his opinion always was against an embassy to Antony: how he had always voted him an enemy, and their present state a war: but as oft as he mentioned an enemy or a war, the consuls had always dropped his motion, from the number of those that were proposed<sup>2</sup>; which could not, however, be done in the present case, because he, who had already voted a thanksgiving, had unwarily voted Antony an enemy; since a thanksgiving had never been decreed but against enemies, and never asked or granted in what was properly a civil war: that they should either have denied it, or must of course decree those to be enemies, for whose defeat it was granted. Then, after flourishing on the particular merit of the three generals, Pansa, Hirtius, Octavius, and shewing how well they had each deserved the name of emperor, he decrees a thanksgiving of fifty days in the name of the three jointly<sup>3</sup>. In the last place he proceeds to speak of the rewards due to the soldiers, and especially of the honours to be paid to those who had lost their lives in the defence of their country. For these he proposes a splendid monument to be erected in common to them all, at the public charge, with their names and services inscribed; and, in recommending it, breaks out into a kind of funeral eulogium upon them:—"O happy death," says he, "which, when due to nature, was paid to your country! for I cannot but look

<sup>1</sup> Ibid. 6.

<sup>2</sup> Ibid. 7.

<sup>3</sup> Ibid. 8, 9, 10, 11.

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upon you as born for your country ! whose name is even derived from Mars ; as if the same God, who gave birth to this city, for the good of nations, had given birth also to you, for the good of this city. Death in flight is scandalous ; in victory glorious : wherefore, whilst those impious wretches, whom you slew, will suffer the punishment of their parricide in the infernal regions, you who breathed your last in victory, have obtained the place and seat of the pious. The life given to us by nature is short, but the memory of a life well spent everlasting : if it were not longer than this life, who would be so mad, at the expense of the greatest pains and dangers, to contend for the prize of glory ? your lot, therefore, is happy, O you, while you lived, the bravest, now the holiest of soldiers : for the fame of your virtue can never be lost, either by the forgetfulness of those who are now alive, or the silence of those who shall come hereafter ; since the senate and people of Rome have raised to you as it were, with their own hands, an immortal monument. There have been many great and famous armies in the Punic, Gallic, Italian wars ; yet no such honour was ever done to any of them. I wish that we could still do greater, since you have done the greatest services to us ; you drove Antony, mad with rage, from the city : you repulsed him when he attempted to return : a fabric, therefore, shall be erected, or magnificent work, and letters engraved upon it, the eternal witnesses of your Divine virtue ; nor will those who see or hear of your monument ever cease talking of you : so that instead of this frail and mortal condition of life you have now acquired an immortality. He that remains thus famous

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hazards, to relieve it: and, after two or three days spent in finding the most likely place of breaking through the intrenchments, they made their attack with such vigour, that Antony, rather than suffer the town to be snatched at last out of his hand, chose to draw out his legions, and come to a general battle. The fight was bloody and obstinate; and Antony's men, though obliged to give ground, bravely disputed every inch of it, till D. Brutus, taking the opportunity, at the same time, to sally out of the town, at the head of his garrison, helped greatly to determine and complete the victory. Hirtius pushed his advantage with great spirit, and forced his way into Antony's camp; but, when he had gained the middle of it, was unfortunately killed near the general's tent: Pontius Aquila, one of the conspirators, was killed likewise in the same place: but Octavius, who followed to support them, made good their attempt, and kept possession of the camp, with the entire defeat and destruction of Antony's best troops: while Antony himself, with all his horse, fled with great precipitation towards the Alps. Some writers give a different relation of this action, but, from the facts and circumstances of it, delivered by Cicero, this appears to be the genuine account. The consul Pansa died the day following, of his wounds, at Bologna<sup>1</sup>.

## SECTION XI.

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THE entire defeat of Antony's army made all people presently imagine that the war was at an end, and the liberty of Rome established: which would, probably, have been the case, if Antony had either perished in the action, or the consuls survived it: but the death of the consuls, though not felt so sensibly at first, in the midst of their joy for the victory, gave the fatal blow to all Cicero's schemes; and was the immediate cause of the ruin of the republic<sup>2</sup>. Hirtius was a man of letters and politeness; intimately entrusted with Cæsar's counsels, and employed to write his acts: but as he was the proper creature of Cæsar, and strongly infected with party, so his views

<sup>1</sup> Cum alia laudo, et gaudeo accidisse, tum quod Bruti eruptio non solum ipsi salutaris fuit, sed etiam maximo ad victoriam adjumento. Ad Brut. 4.

Ibi Hirtium quoque periisse et Pontium Aquilam, &c. Ep. Fam. 10. 33. vid. it. ibid. 11. 13. et App. l. 3. p. 372.

<sup>2</sup> Hirtium quidem et Pansam—in Consulatu Reip. salutare, alieno sane tempore amisimus. Ep. Fam. 12. 25.

Pansa amisso, quantum detrimenti Respub. acceperit, non te præterit. Ibid. 11. 9. Quanto sit in periculo Respub. quam potero brevissime exponam. Primum omnium, quantam perturbationem rerum urbanarum afferat obitus Consulum, &c. Ibid. 10.

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were all bent on supporting the power that had raised him, and serving his patron, not the public. In the beginning therefore, of the civil war, when he was tribune of the people, he published a law, to exclude all who were in arms with Pompey, from any employment or office in the state<sup>1</sup>: which made him particularly obnoxious to the Pompeians, who considered him as their most inveterate enemy. Pansa, whose father had been proscribed by Sylla<sup>2</sup>, was attached with equal zeal to Cæsar, as to the head and reviver of the Marian cause, and served him in all his wars, with singular affection and fidelity: he was a grave, sincere, and worthy man; and being naturally more moderate and benevolent than Hirtius, was touched with the ruin of his country, and the miseries of the oppressed Pompeians: many of whom he relieved by his humanity, and restored, by his interest, to the city and their estates<sup>3</sup>. This made him very popular, and gained him the esteem of all the honest: so that Cassius, in defending his Epicureanism to Cicero, alleges Pansa as an example of those genuine Epicureans, who placed their pleasure or chief good in virtuous acts<sup>4</sup>. Before their entrance into the consulship, Quintus Cicero gave a most wretched account of them both, as of a lewd, luxurious pair; not fit to be trusted with the command of a paltry town, much less of the empire; and says, that if they were not removed from the helm, the republic would certainly be lost; since Antony would easily draw them into a partnership of his crimes: for, when he served with them in Gaul, he, "had seen incredible instances of their effeminacy and

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to proceed to extremities, till pacific measures were found ineffectual. This gave Cicero some reason to blame, but never to distrust them; to complain of their phlegm and want of vigour, as detrimental to the common cause: yet, while they were generally suspected by others, he always thought them sincere, though they did not, in all cases, act up to his wishes. The event confirmed his judgment of them; for they both not only exposed, but lost their lives, with the greatest courage, in the defence of the republic, and shewed themselves to be the very men which Cicero had constantly affirmed them to be; and though he imputes some little blame to Hirtius, yet of Pansa he declares, that he wanted neither courage from the first, nor fidelity to the last<sup>1</sup>.

If they had lived to reap the fruits of their victory, their power and authority would have been sufficient to restrain Octavius within the bounds of his duty, and sustain the tottering republic, till Brutus and Cassius could arrive to their assistance, and Plancus and D. Brutus unite themselves in the same cause, and give it a firm establishment in their consulship in the next year; all whose armies, together with the African legions, were far superior to any force that could have been brought against them. But the death of the two consuls placed Octavius at once above control, by leaving him master of both their armies, especially of all the veterans, who were disaffected to D. Brutus, and could not be induced to follow him; and it fell out so lucky and apposite to all Octavius's views, as to give birth to a general persuasion, that they had received foul play, and were both of them killed by his contrivance: for he was observed to be the first man who took up Hirtius's body in the camp, where some imagined him to have been killed by his own soldiers; and Pansa's physician, Glyco, was actually thrown in prison, by Torquatus, Pansa's quæstor, upon a suspicion of having poisoned his wounds<sup>2</sup>. But the chief ground of that notion seems to have lain in the fortunate coincidence of the fact with the interests of Octavius:

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<sup>1</sup> *Quales tibi sæpe scripsi Consules, tales extiterunt.* [Ad Brut. 3.] *Erat in Senatu satis vehemens et acer Pansa; cum in cæteros hujus generis, tum maxime in socerum; cui Consuli non animus ab initio, non fides ad extremum defuit. Bellum ad Mutinam gerebatur; nihil ut in Cæsare reprehenderes, nonnulla in Hirtio.* Ibid. 10.

N. B.—Several medals were struck by the senate, on the occasion of this victory, particularly one in honour of Pansa, exhibiting the head of the Goddess Liberty crowned with laurel, and the inscription, *LIBERTATIS*; and on the reverse, Rome sitting upon the spoils of enemies, holding a spear in her right hand, and a dagger in her left, with her foot upon the globe, and victory flying towards her, to crown her with laurel; and the inscription, *C. PANSA. C. F. C. N.* See Morel. *Fam. Rom.*

<sup>2</sup> *Rumor increbuit, ambos opera ejus occisos: ut Antonio fugato, Repub. Consulibus orbata, solus victores exercitus occuparet. Pansæ quidem adeo suspecta mors fuit, ut Glyco medicus custoditus sit, quasi venenum vulncri indidisset.* Sueton. Aug. 11. Dio, l. 46. 317. App. p. 572.

virtutem : I wish that I may govern  
 of honour and power, as I have be-  
 much harder : yet I do not despi-  
 sanded, and chiefly by me, that  
 him : and, in truth, if he had not  
 the city, all had been lost :”  
 grow daily more and more untra-  
 and implore Brutus, in every part  
 Italy, as the only thing which con-  
 circumstances : and to enforce his  
 a vote also of the senate, to call for  
 the defence of the republic<sup>1</sup>.

At Rome, however, the general  
 attention to the loss of their co-  
 were so dejected, for some time, to  
 opposition in the senate : where he  
 honours on the deceased, Hirtius,  
 an ovation to Caesar, and added  
 thanksgiving, in honour of D.  
 happening to fall upon his birth-day  
 his name should be ascribed ever  
 or public kalendars, for a perpet-  
 Antony’s adherents were also decl-  
 ber Servilius himself included V.  
 Cassius the command of the war.  
 Cicero joined Brutus, in case the  
 the republic<sup>2</sup>.

<sup>1</sup> Tibi Glyconæ medicum Pansa—diligentiss-  
 suspitionem Torquato de morte Pansa, custodi-  
 dum, &c. Rogo te, et quidem valde rogo, erij-

<sup>2</sup> Caesaris vero meriti mirifica indoles virtutis

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The decree of an ovation to Octavius was blamed by Brutus and his friends<sup>1</sup>; yet seems to have been wisely and artfully designed: for, while it carried an appearance of honour, it would regularly have stripped him of his power, if he had made use of it: since his commission was to expire of course, and his army to be dissolved, upon his first entrance into the city: but the confusion of the times made laws and customs of little effect with those who had the power to dispense with them.

The commanders abroad were so struck with Antony's defeat, that they redoubled their assurances to Cicero of their firmness and zeal for the common cause. Lepidus especially, who had suffered two of his lieutenants, Silanus and Culleo, to carry succours to Antony, at Modena, labours to excuse it in a civil and humble strain, and to persuade Cicero, that they had done it against his orders; and though, for their former relation to him, he was unwilling to punish them with the last severity, yet he had not since employed them, or received them even into his camp. He acquaints him that Antony was arrived in his province with one legion, and a great multitude of men unarmed, but with all his horse, which was very strong; and that Ventidius had joined him with three legions: that he was marching out against him with all his forces, and that many of Antony's horse and foot daily deserted him. That, for himself, he would never be wanting in his duty to the senate and the republic: thanks him for not giving credit to the false reports which were spread of him, and above all for the late honours that he had decreed to him: begs him to expect every thing from him which could be expected from an honest man, and to take him under his special protection<sup>2</sup>.

Pollio, still more explicitly: that there was no time now for loitering, or expecting the orders of the senate: that all who wished to preserve the empire, and the very name of the Roman people, ought to lend their present help: that nothing was more dangerous, than to give Antony leisure to recollect himself: that for his part, he would neither desert nor survive the republic; was grieved only for his being at such a distance, that he could not come so soon as he wished to its relief<sup>3</sup>, &c.

Plancus sent word, that he was taking all possible care to oppress Antony, if he came into that country. That if he came without any considerable body of troops, he should be able to give a good account of him, though he should be re-

bellam. Cui cum essem assensus, decrevi hoc amplius, ut tu, si arbitrare utile—persequere bello Dolabellam, &c. Ibid. 5. it. 15.

<sup>1</sup> Suspicion illud minus tibi probari, quod ab tuis familiaribus—non probatur, quod ut ovanti introire Cæsari liceret, decreverim. Ibid. 15.

<sup>2</sup> Ep. Fam. 10. 34.

<sup>3</sup> Ibid. 33.

...and I have often  
thought of Antony's death. I  
...Antony's death as I  
...could have met with  
...him.

I have often seen at Modena  
...giving Antony a  
...a truly great while of  
...and I raised his ear, so as  
...his own terms with him in  
...which he seems to have formed  
...if Antony had been wa  
...republican party v  
...for him, and Lepidus' w  
...army, was certainly a weak gene  
...therefore, to pursue Antony, he  
...it was too late: taking himself to  
...securing to his interests the tro

Cicero was particularly disqui  
...often expostulates upon it with D  
...if Antony should ever recover stre  
...vices to the republic would com  
...ported," says he, "at Rome, and  
...he was fled with a few unarmed,  
...almost broken-hearted; but if it b  
...that you cannot fight him again,  
...seem to have fled from Modena, b  
...seat of the war. Wherefore, men  
...what they were: some even compl  
...him; and think that he might have

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real ground of complaint. The truth of the case is, he who addresses Antony puts an end to the war. What the force of ~~it~~ is, it is better for you to consider, than for me to write ~~it~~ explicitly<sup>1</sup>."

D. Brutus, in his answer, gives him the reasons, why he could not follow Antony so soon as he wished: "I had no ~~use~~," says he, "no carriages; did not know that Hirtius was killed; had no confidence in Cæsar before I met and talked with him: thus the first day passed. The next morning early I was sent for by Pansa to Bologna; but, on the road, met with an account of his death: I ran back to my little army, for so I may truly call it: it is extremely reduced, and in sad condition for want of all things: so that Antony gained two days of me, and made much greater journeys in flying, than I could in pursuing; for his troops went straggling, mine in order. Wherever he passed he opened all the prisons, carried away the men, and stopped no where till he came to the Fords. This place lies between the Apennine and the Alps; a most difficult country to march through: when I was thirty miles from him, and Ventidius had already joined him, a copy of his speech was brought to me, in which he begs of his soldiers to follow him across the Alps; and declares, that he acted in concert with Lepidus: but the soldiers cried out, especially those of Ventidius, for he has a very few of his own, that they would either conquer or perish in Italy, and began to beg, that he would go to Pollentia: when he could not over-rule them, he put off his march to the next day. Upon this intelligence, I presently sent five cohorts before me to Pollentia, and followed them myself with the army: my detachment came to the place an hour before Trebellius, with Antony's horse; this gave me an exceeding joy; for I esteem it equal to a victory<sup>2</sup>," &c.

In another letter he says, that if Cæsar would have been persuaded by him to cross the Apennine, he could have reduced Antony to such straits, that he must have been destroyed by want, rather than the sword; but that they could neither command Cæsar, nor Cæsar his own troops; both which circumstances were very bad<sup>3</sup>, &c. This authentic account from D. Brutus confutes two facts, which are delivered by an old historian, and generally received by all the moderns: first, that Octavius, after the victory, refused to have any conference with D. Brutus; and that Brutus for that reason, forbade him

<sup>1</sup> Ep. Fam. 11. 12.<sup>2</sup> Ibid. 13.<sup>3</sup> Quod si me Cæsar audisset, atque Apenninum transisset, in tantas angustias Antonium compulvissem, ut inopia potius quam ferro conficeretur. Sed neque Cæsari imperari potest, nec Cæsar exercitui suo: quod utrumque pessimum est. Ibid. 10.

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to enter his province, or to pursue Antony: secondly, that Pansa, in his last moments, sent for Octavius, and advised him to an union with Antony, against the senate<sup>1</sup>. For it is evident, that, on the very day of the victory, there was actually a conference between the two first: which passed in so amiable a manner, as to ease Brutus of the jealousy which he had before conceived of Octavius: and Pansa's death happened so early the next morning, that it left no room for the pretended advice and speech, which is made for him to Octavius: especially since it appears, on the contrary, that, instead of Octavius, Pansa really sent for D. Brutus, when he found himself dying, as if disposed rather to communicate something for the service of that cause, in which he had lost his life. But both the stories were, undoubtedly, forged afterwards, to save Octavius's honour, and give a better colour to that sudden change of measures, which, from this hour, he was determined to pursue<sup>2</sup>.

C. Antony was still a prisoner with M. Brutus, whose indulgence gave him an opportunity of practising upon the soldiers and raising a sedition in the camp, which created no small trouble to Brutus. The soldiers, however, soon repented of their rashness, and killed the authors of it; and would have killed Antony too, if Brutus would have delivered him into their hands: but he could not be induced to take his life though this was the second offence of the same kind: but, pretending that he would order him to be thrown into the sea sent him to be secured on ship board, either from doing or suffering any farther mischief<sup>3</sup>: of which he wrote an account

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exerted rather in preventing civil wars, than in revenging ourselves on the vanquished. I differ widely from you, Brutus; not that I yield to you in clemency; but a salutary severity is always preferable to a specious show of mercy. If we are so fond of pardoning, there will be no end of civil wars: but you are to look to that; for I can say of myself, what Plautus's old man says in the *Trinummus*,—life is almost over with me; it is you who are the most interested in it. You will be undone, Brutus, believe me, if you do not take care: for you will not always have the people, nor the senate, nor a leader of the senate, the same as now. Take this, as from the Pythian oracle; nothing can be more true<sup>1</sup>."

Brutus's wife, Porcia, notwithstanding the tragical story, which the old writers have dressed up, of the manner of her killing herself upon the news of her husband's unhappy fate<sup>2</sup>, died, most probably, about this time at Rome, of a lingering illness. She seems to have been in a bad state of health when Brutus left Italy; where she is said to have parted from him with the utmost grief and floods of tears, as if conscious that she was taking her last leave of him: and Plutarch says, that there was a letter of Brutus extant in his days, if it was genuine, in which he lamented her death, and complained of his friends for neglecting her in her last sickness: this, however, is certain, that in a letter to Atticus, he gives a hint of Porcia's indisposition, with a slight compliment to Atticus for his care of her<sup>3</sup>: and the following letter of condolence to him from Cicero, can hardly be applied to any other occasion, but that of her death.

"CICERO TO BRUTUS.

"I SHOULD perform the same office which you formerly did in my loss, of comforting you by letter, did I not know, that you cannot want those remedies in your grief, with which you relieved mine. I wish only, that you may now cure yourself more easily, than at that time you cured me: for it would be strange, in so great a man as you, not to be able to practise, what he had prescribed to another. As for me, not only the reasons, which you then collected, but your very authority deterred me from indulging my sorrow to excess. For when you thought me to behave myself with greater softness than became a man; especially one, who used to comfort others, you chid me with more severity than it was usual for you to express; so that, out of a reverence to your judgment, I roused

<sup>1</sup> Ad Brut. 2.

<sup>2</sup> App. l. iv. 669. Dio, l. 47. 356. Val. Max. 4. 6.

<sup>3</sup> Valetudinem Porciæ meæ tibi curæ case, non miror. Ad Brut. 17.

myself: and, by the accession of your authority, took every thing that I had learnt or read, or heard on that subject, to have the greater weight. Yet my part, Brutus, at that time, was only to act agreeably to duty and to nature; but yours, as we say, is to be acted on the stage, and before the people. For when the eyes not only of your army, but of all the city, nay, of all the world, are upon you, it is wholly indecent in one, by whom we other mortals are made the stouter, to betray any dejection or want of courage. You have suffered, indeed, a great loss (for you have lost that, which has not its fellow on earth); and must be allowed to grieve under a cruel a blow; lest to want all sense of grief should be thought more wretched than grief itself; but to do it with moderation is both useful to others, and necessary to yourself. I would write more, if this was not already too much: we expect you and your army: without which, though all other things succeed to our wishes, we shall hardly ever be free."

As the time of choosing magistrates now drew on, and particularly of filling up the colleges of priests, in which there were many vacancies, so Brutus was sending home many of his young nobles to appear as candidates at the election: the two Bibuluses, Domitius, Cato, Lentulus; whom he severally recommends to Cicero's protection. Cicero was desirous, that his son also should come with them to be elected a priest; and wrote to Brutus, to know his mind about it; and, if he thought proper, to send him away immediately; for though he might be chosen in absence, yet his success would be much easier, if he was present. He touches this little affair in several of his

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Cicero, and his friends at Rome. Dolabella, after his success against Trebonius, having pillaged that province of its money, and of all things useful for war, marched forward to execute his grand design upon Syria, for which he had been making all this preparation: but Cassius was beforehand with him, and having got possession of that country, and of all the armies in it, was much superior to him in force. Dolabella, however, made his way, with some success through Cilicia, and came before Antioch in Syria, but was denied admittance into it; and, after some vain attempts to take it, being repulsed with loss, marched to Laodicea; which had before invited, and now opened its gates to him. Here Cassius came up with him, and presently invested the place; where, after he had destroyed Dolabella's fleet, in two or three naval engagements, he shut him up closely by sea as well as land; till Dolabella, seeing no way to escape, and the town unable to hold out any longer, killed himself, to prevent his falling alive into Cassius's hands, and suffering the same treatment which he had shewn to Trebonius: but Cassius generously ordered his body to be buried, with that of his lieutenant Octavius, who killed himself also with him<sup>1</sup>.

D. Brutus was now at last pursuing Antony, or rather observing the motions of his flight: he had with him, besides his own forces, the new legions of the late consuls, while all the veterans put themselves under the command of Octavius; so that, after Antony was joined by Ventidius, with three legions, Brutus was hardly strong enough either to fight with him, or, what he rather aimed at, to hinder his crossing the Alps to Lepidus. He desired Cicero, therefore, to write to Lepidus, not to receive him, though he was sure, he says, that Lepidus would never do any thing that was right; and wishes, likewise, that Cicero would confirm Plancus; since, by some of Antony's papers, which fell into his hands, he perceived that Antony had not lost all hopes of him, and thought himself sure of Lepidus and Pollio: of which he gave Plancus immediate notice, and signified that he was coming forward with all expedition to join with him<sup>2</sup>. But he complains much, in all his letters, of his want of money and the sad condition of his army, which was not contemptible for the number, but the kind of his troops; being, for the most part, new-raised men, bare, and

<sup>1</sup> Ep. Fam. 12, 13, 15. App. l. 4. 625. Dio, l. 47. 344.

<sup>2</sup> In primis rogo te, ad hominem ventosissimum Lepidum mittas, ne bellum nobis redintegrare possit, Antonio sibi conjuncto.—Mihi persuasissimum est, Lepidum recte facturum nunquam—Plancum quoque confirmetis, oro; quem spero, pulso Antonio, Reipub. non defuturum. Ep. Fam. 11. 9.

Antonius ad Lepidum proficiscitur, ne de Planco quidem spem adhuc abjecit, ut ex libellis suis animadverti, qui in me inciderunt. Ibid. 11.

needy of all things. "I cannot," says he, "maintain my soldiers any longer. When I first undertook to free the republic, I had above three hundred thousand pounds of my own in money; but am now so far from having any thing, that I have involved all my friends in debt for me. I have seven legions to provide for:—consider with what difficulty. Had the treasures of Varro, I could not support the expense." He desired, therefore, a present supply of money, and some veteran legions, especially the fourth and martial, which continued still with Octavius. This was decreed to him readily by the senate, at the motion of Drusus and Paullus, Lepidus's brother<sup>3</sup>; but Cicero wrote him word, that all who knew those legions the best, affirmed, that they would not be induced, by any terms, to serve under him: that money, however, should certainly be provided for him: and concludes by observing that if Lepidus should receive Antony, it would throw the again into great difficulties; but that it was Brutus's part to take care that they should have no cause to fear the event: so as to himself, that he could not possibly do more than he had already done, but wished to see D. Brutus the greatest and most illustrious of men<sup>4</sup>.

Plancus, as it is hinted above, was carrying on a negotiation with Lepidus, to unite their forces against Antony: it was managed, on Plancus's side, by Furnius; on Lepidus's by L. terensis, one of his lieutenants, a true friend to the republic and zealous to engage his general to its interests; and Lepidus himself dissembled so well, as to persuade them of his sincerity so that Plancus was marching forward, in great haste, to join

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and the city, than to a desperate abandoned robber; in which case he might depend on my service and assistance for occasions: I transacted the affair by Laterensis. He pawned faith, that, if he could not keep Antony out of his province, would pursue him by open war: begged that I would come to join forces with him; and, so much the more, because Antony was said to be strong in horse, whereas Lepidus's could only be called indifferent: for, not many days before, even of his small number, ten, who were reckoned his best, came to me. As soon as I was informed of this, I resolved, without delay, to support Lepidus in the execution of his good intentions. I saw of what benefit my joining him would be, either for pursuing and destroying Antony's horse with mine, or correcting and restraining, by the presence of my army, the corrupt and disaffected part of Lepidus's. Having made a league, therefore, in one day, over the Isere, a very great river, in the territory of the Allobroges, I passed with my army on the 12th of May: but having been informed that Lepidus was sent before, with some horse and cohorts, to meet him, I had sent my brother, the day before, with four thousand horse, to meet with him, intending to follow myself, on great journeys, with four legions, and the rest of my horse, without the heavy baggage. If we have any tolerable fortune in the republic, we shall here put an end to the audaciousness, the desperate, and to all our own trouble: but if the robber, on hearing of my arrival, should run back again into Italy, it will be Brutus's part to meet with him there: who will not be wanting, I know, either in counsel or courage: but if that should happen, I will send my brother also with the horse, to defend and preserve Italy from being ravaged by him. Take care of your health, and love me as I love you<sup>1</sup>."

But Lepidus was acting, all the while, a treacherous part, having determined at all hazards to support Antony; and though he kept him at a distance for some time, and seemed to be constrained, at last, by his own soldiers, to receive him: that was only to save appearances, till he could do it with advantage and security to them both: his view in treating with Antony was, probably, to amuse and draw him so near to him, that when he and Antony were actually joined, they might force him into the same measures, without his being able to help it, or to retreat from them. When he was upon the point, therefore, of joining camps with Antony, he sent word to Plancus, who was within forty miles of him, to stay where he then was, till he should come up to him: but Plancus, sus-

<sup>1</sup> Ibid. 10. 15.

their camps on the twenty-eighth marched forward towards him : of till they were come within twenty first intelligence of it, he retreated Isere, and broke down the bridge it, that he might have leisure to do and join them with his colleague D. in three days : that Laterensis, who ever acknowledge, when he found laid violent hands upon himself : but act, was thought likely to live : he sent to him with his forces : a person, that his army, however, interest was so much concerned in it : the rebels was now drawn into on against them with the whole force of

The day after this union with short letter to the senate, wherein he witness, that he had nothing so safety and liberty : of which he showed proof had not fortune prevented him a general mutiny and sedition, had so great a multitude of citizens and seeches them, that, laying aside all would consult the good of the whole civil dissension, treat his clemency criminal and traitorous<sup>1</sup>.

D. Brutus, on the other hand, joined who acted with him for some time affection of the whole province on testified in their common letters to R and courage to all the honest there.

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**forces**: in my camp, there are three veteran legions, with one new, but the best of all others of that sort: in Brutus's, one veteran legion, another of two years standing, eight of new levies: so that our whole army is great in number, little in strength: for what small dependance there is on a fresh soldier we have oft experienced to our cost. If the African troops, which are veteran, or Cæsar's should join us, we should willingly put all to the hazard of a battle: as I saw Cæsar's to be the nearest, so I have never ceased to press him, nor he to assure me, that he would come instantly, though I perceive that he had no such thought, and is quite gone off into other measures: yet, I have sent our friend Furnius again to him, with letters and instructions, if he can possibly do any good with him. You know, my dear Cicero, that, as to the love of young Cæsar, it belongs to me in common with you: for, on the account either of my intimacy with his uncle, when alive, it was necessary for me to protect and cherish him; or because he himself, as far as I have been able to observe, is of a most moderate and gentle disposition; or that, after so remarkable a friendship with C. Cæsar, it would be a shame for me not to love him, even as my own child, whom he had adopted for his son. But what I now write, I write out of grief, rather than ill-will: that Antony now lives; that Lepidus is joined with him; that they have no contemptible army; that they have hopes, and dare pursue them, is all entirely owing to Cæsar. I will not recal what is long since passed: but if he had come at the time, when he himself declared that he would, the war would have been either now ended, or removed, to their great disadvantage, into Spain, a province utterly averse to them. What motive, or whose counsels drew him off from a part so glorious, nay, so necessary too, and salutary to himself, and turned him so absurdly to the thoughts of a two months' consulship, to the terror of all people, I cannot possibly comprehend. His friends seem capable of doing much good on this occasion, both to himself and the republic; and, above all others, you, to whom he has greater obligations than any man living, except myself; for I shall never forget, that I am indebted to you for the greatest. I have given orders to Furnius to treat with him on these affairs; and if I had as much authority with him as I ought, should do him great service. We, in the mean time, have a very hard part to sustain in the war: for we neither think it safe to venture a battle, nor yet, by turning our backs, to give the enemy an opportunity of doing greater mischief to the republic: but if either Cæsar would regard his honour, or the African legions come quickly, we shall make you all easy from this quarter. I beg you to continue

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your affection to me, and assure yourself that I am strictly your's."

Upon the news of Lepidus's union with Antony, the senate, after some little time spent in considering the effects of it, being encouraged by the concord of D. Brutus and Plancus, and depending on the fidelity of their united forces, voted Lepidus an enemy, on the thirtieth of June; and demolished the gilt statue which they had lately erected to him; reserving still a liberty to him and his adherents, of returning to their duty by the first of September. Lepidus's wife was M. Brutus's sister: by whom he had sons, whose fortunes were necessarily ruined by this vote, which confiscated the father's estate: for which reason Servilia, their grandmother, and Cassius's wife, their aunt, solicited Cicero very earnestly, either that the decree itself might not pass, or that the children should be excepted out of it: but Cicero could not consent to oblige them: for since the first was thought necessary, the second followed of course: he gave Brutus, however, a particular account of the case by letter.

"CICERO TO BRUTUS.

"THOUGH I was just going to write to you by Messala Corvinus, yet I would not let our friend Vetus come without a letter. The republic, Brutus, is now in the utmost danger, and after we had conquered, we are forced again to fight, by the perfidy and madness of M. Lepidus. On which occasion, when, for the care with which I have charged myself of the republic, I had many things to make me uneasy, yet nothing

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crimes of their parents: but it was wisely contrived by the laws, that the love of their children, should make parents more affectionate to their country. Wherefore, it is Lepidus who is cruel to his children, not he who adjudges Lepidus an enemy; for if, laying down his arms, he were to be condemned only of violence, in which no defence could be made for him, his children would suffer the same calamity by the confiscation of his estate. Yet, what your mother and sister are now soliciting against, in favour of the children, the very same, and much worse, Lepidus, Antony, and our other enemies, are, at this very moment, threatening to us all. Wherefore, our greatest hope is in you and your army; it is of the utmost consequence, both to the republic in general, and to your honour and glory in particular, that, as I wrote to you before, you come as soon as possible into Italy, for the republic is in great want, not only of your forces, but of your counsels. I served Vetus, with pleasure, as you desired me, for his singular benevolence and duty to you: I found him extremely zealous and affectionate both to you and the republic: I shall see my son, I hope, very soon; for I depend on his coming with you quickly to Italy<sup>1</sup>."

Brutus, before he had received this letter, having heard from other friends, what they were designing at Rome against Lepidus, wrote about the same time, and on the same subject, to Cicero.

" BRUTUS TO CICERO.

" OTHER people's fears oblige me to entertain some apprehensions, myself, on Lepidus's account: if he should withdraw himself from us (which will prove, I hope, a rash and injurious suspicion of him), I beg and beseech you, Cicero, conjuring you, by our friendship, and your affection to me, to forget that my sister's children are Lepidus's sons, and to consider me in the place of their father. If I obtain this of you, you will not scruple, I am sure to do whatever you can for them. Other people live differently with their friends; but I can never do enough for my sister's children to satisfy either my inclination or my duty. But what is there in which honest men can oblige me (if in reality I have deserved to be obliged in any thing), or in which I can be of service to my mother, sister, and the boys, if their uncle Brutus has not as much weight with you and the senate to protect, as their father Lepidus to hurt them? I feel so much uneasiness and indignation, that I neither can nor ought to write more fully to you: for if, in a case so important and so necessary, there could be

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<sup>1</sup> Ad Brut. 12.

any occasion for words to excite and confirm you, there is no hope that you will do what I wish, and what is proper. Do not expect, therefore, any long prayers from me: consider only what I am, and that I ought to obtain it, either from Cicero, a man the most intimately united with me; or, without regard to our private friendship, from a consular senator of such eminence: pray send me word as soon as you can what you resolve to do. 'July the first'."

Cicero perceiving, from this letter, what he had no notion of before, how great a stress Brutus laid on procuring this favour for his nephews, prevailed with the senate to suspend the execution of their act, as far as it related to them, till the times were more settled?

Lepidus and Antony were no sooner joined, than a correspondence was set on foot between them and Octavius; who, from the death of the consuls, shewed but little regard to the authority of Cicero, or the senate: and wanted only a pretence for breaking with them. He waited, however, a while, to see what became of Antony, till finding him received and supported by Lepidus, he began to think it his best scheme to enter into the league with them; and to concur in what seemed to be more peculiarly his own part, the design of revenging the death of his uncle. Instead, therefore, of prosecuting the war any farther, he was persuaded by his friends to make a demand of the consulship, though he was not yet above twenty years old. This step shocked and terrified the city; not that the consulship could give him any power which his army had not already given, but as it indicated a dangerous and un-

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would have exposed him only to more immediate danger and insults from the soldiers, whose fastidious insolence in their demands, was grown, as he complains, insupportable<sup>1</sup>. Some old writers say, what the moderns take implicitly from them, that he was duped, and drawn in by Octavius, to favour his pretensions to the consulship, by the hopes of being made his colleague, and governing him in the office<sup>2</sup>. But the contrary is evident from several of his letters; and that of all men, he was the most averse to Octavius's design, and the most active in dissuading him from pursuing it. Writing upon it to Brutus: "As to Cæsar," says he, "who has been governed hitherto by my advice, and is indeed of an excellent disposition, and wonderful firmness, some people, by most wicked letters, messages, and fallacious accounts of things, have pushed him to an assured hope of the consulship. As soon as I perceived it, I never ceased admonishing him in absence, nor reproaching his friends who are present, and who seem to encourage his ambition; nor did I scruple to lay open the source of those traitorous counsels in the senate; nor do I ever remember the senate or the magistrates to have behaved better on any occasion: for, it never happened before, in voting an extraordinary honour to a powerful, or rather most powerful man (since power is now measured by force and arms), that no tribune, or any other magistrate, nor so much as a private senator, would move for it: yet, in the midst of all this firmness and virtue, the city is greatly alarmed: for we are abused, Brutus, both by the licentiousness of the soldiers, and the insolence of the general. Every one demands to have as much power in the state, as he has means to extort it: no reason, no moderation, no law, no custom, no duty is at all regarded, no judgment or opinion of the citizens, no shame of posterity<sup>3</sup>," &c.

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus. Q. Pedius.

WHAT Cicero says in this letter, is very remarkable, that, in all this height of young Cæsar's power, there was not a magistrate, not so much as a single senator, who would move for the decree of his consulship: the demand of it, therefore, was made by a deputation of his officers; and when the senate received it more coldly than they expected, Cornelius, a centurion, throwing back his robe, and shewing them his sword, boldly declared, that if they would not make him consul, that should. But Octavius himself soon put an end to their scru-

<sup>1</sup> Illudimur, Brute, cum militum deliciis, tum Imperatoris insolentia. Ibid. 10.<sup>2</sup> Plut. in Cic.<sup>3</sup> Ad Brut. 10.

A. Urb. 710. Cic. 64. Cons.—C. Cæsar Octavianus. Q. Pedius.

plea, by marching with his legions in an hostile manner to the city<sup>1</sup>; where he was chosen Consul, with Q. Pedius, his kinsman, and coheir in part of his uncle's estate, in the month of Sextilis; which, on the account of this fortunate beginning of his honours, was called afterwards, from his own surname, Augustus<sup>2</sup>.

The first act of his magistracy was to secure all the public money, which he found in Rome, and make a dividend of it to his soldiers. He complained loudly of the senate, that, instead of paying his army the rewards which they had decreed to them, they were contriving to harass them with perpetual toils, and to engage them in fresh wars against Lepidus and Antony; and, likewise, that in the commission granted to ten senators, to provide lands for the legions after the war, they had not named him<sup>3</sup>. But there was no just ground for any such complaints: for those rewards were not decreed, nor intended to be distributed, till the war was quite ended; and the leaving Cæsar out of the commission was not from any particular slight, but a general exception of all, who had the command of armies, as improper to be employed in such a charge; though Cicero, indeed, was of a different opinion, and pressed for their being taken in. D. Brutus and Plancus were excluded as well as Cæsar; and both of them seem, likewise, to have been disgusted at it: so that Cicero, who was one of the number, in order to retrieve the imprudence of a step which gave such offence, would not suffer his colleagues to do any thing of moment, but reserved the whole affair to the

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus Q. Pedius.

have reported every where, and believed in the worse sense. D. Brutus gave Cicero the first notice of it in the following letter:—

“D. BRUTUS, EMPEROR, CONSUL-ELECT, TO M. T. CICERO.

“WHAT I do not feel on my own account, my love and obligations to you make me feel on your's: that is, fear. For after I had been often told, what I did not wholly slight, Labeo Segulius, a man always like himself, just now informs me, that he has been with Cæsar, where there was much discourse on you: that Cæsar himself had no other complaint against you, but for a certain saying, which he declared to have been spoken by you; that the young man was to be praised, adorned, taken off<sup>1</sup>; but he would not be so silly, he said, as to put it into any man's power to take him off. This, I dare say, was first carried to him, or forged by Segulius himself, and did not come from the young man. Segulius had a mind, likewise, to persuade me, that the veterans talk most angrily against you; and that you are in danger from them; and that the chief cause of their anger is, because neither Cæsar nor I am in the commission of the ten, but all things transacted by your will and pleasure: upon hearing this, though I was then upon my march, I did not think it proper to pass the Alps, till I could first learn how matters were going amongst you<sup>2</sup>,” &c.

To this Cicero answered.

“The gods confound that Segulius, the greatest knave that is, or was, or ever will be. What! do you imagine, that he told his story only to you and to Cæsar? he told the same to every soul that he could speak with: I love you, however, my Brutus, as I ought, for acquainting me with it, how trifling soever it be: it is a sure sign of your affection. For as to what Segulius says, of the complaint of the veterans, because you and Cæsar were not in the commission, I wish that I was not in it myself; for what can be more troublesome?—but when I proposed that those who had the command of armies should be included in it, the same men, who used to oppose every thing, remonstrated against it; so that you were excepted, wholly against my vote and opinion<sup>3</sup>,” &c.

As for the story of the words, he treats it, we see, as too contemptible to deserve an apology, or the pains of disclaiming it; and it seems, indeed, incredible, that a man of his prudence could ever say them. If he had harboured such a thought, or

<sup>1</sup> Laudandum adolescentem, ornandum, tollendum. Which last word signifies, either to raise to honours, or to take away life.

<sup>2</sup> Ep. Fam. 11. 20.

<sup>3</sup> Ibid. 21.

A. Urb. 710. Cic. 64. Com.—C. Caesar Octavianus. Q. Pedius.

had been tempted, on any occasion, to throw out such a hint, we might have expected to find it in his letters to Brutus; yet on the contrary, he speaks always of Octavius in terms highly advantageous, even where he was likely to give disgust by it. But nothing was more common than to have sayings forged for him, which he had never spoken: and this was one of the sort; contrived to instil a jealousy into Octavius, or to give him a handle, at least, for breaking with Cicero, which, in his present circumstances, he was glad to lay hold of: and when the story was once become public, and supposed to have gained credit with Octavius, it is not strange to find it taken up by the writers of the following ages, Velleius and Suetonius, though not without an intimation from the latter of its suspected credit<sup>1</sup>.

While the city was in the utmost consternation, on Cæsar's approach, with his army, two veteran legions from Afric happened to arrive in the Tiber, and were received as a succour sent to them from Heaven; but this joy lasted not long; for presently after their landing, being corrupted by the other soldiers, they deserted the senate, who sent for them, and joined themselves to Cæsar. Pollio, likewise, about the same time, with two of his best legions from Spain, came to the assistance of Antony and Lepidus; so that all the veterans of the western part of the empire were now plainly forming themselves into one body, to revenge the death of their old general. The consent of all these armies, and the unexpected turn of Antony's affairs, staggered the fidelity of Plancus, and induced

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus. Q. Pedius.

Several of the old writers have reproached his memory with a shameful cowardice, in the manner of suffering his death, unworthy of the man who had killed Cæsar, and commanded armies. But their accounts are so various, and so inconsistent with the character of his former life, that we may reasonably suspect them to be forged by those who were disposed to throw all kinds of contumely on the murderers of Cæsar<sup>1</sup>.

But what gave the greatest shock to the whole republican party, was a law contrived by Cæsar, and published by his colleague, Pedius, to bring to trial and justice all those who had been concerned either in advising or effecting Cæsar's death: in consequence of which, all the conspirators were presently impeached, in form, by different accusers; and, as none of them ventured to appear to their citations, they were all condemned, of course; and, by a second law interdicted from fire and water: Pompey, also, though he had borne no part in that act, was added to the number, as an irreconcilable enemy to the Cæsarian cause: after which, Cæsar to make amends for the unpopularity of his law, distributed to the citizens the legacies which his uncle had left them by will<sup>2</sup>.

Cicero foresaw that things might possibly take this turn, and Plancus himself prove treacherous; and for that reason, was constantly pressing Brutus and Cassius to hasten to Italy as the most effectual means to prevent it; every step that Cæsar took confirmed his apprehensions, and made him more importunate with them to come, especially after the union of Antony and Lepidus. In his letters to Brutus, "Fly to us," says he, "I beseech you, and exhort Cassius to the same; for there is no hope of liberty, but from your troops<sup>3</sup>. If you have any regard for the republic, for which you were born, you must do it instantly; for the war is renewed by the inconstancy of Lepidus; and Cæsar's army, which was the best, is not only of no service to us, but even obliges us to call for your's; as soon as ever you touch Italy, there is not a man, whom we can call a citizen, who will not immediately be in your camp. We have D. Brutus, indeed, happily united with Plancus: but you are not ignorant how changeable men's minds are, and how infected with party, and how uncertain the events of war: nay, should we conquer, as I hope we shall, there will be a want of your advice and authority, to settle all affairs. Help us, therefore, for God's sake, and as soon as possible; and assure yourself that you did not do a greater service to your country on

<sup>1</sup> Senec. Ep. 82. 543. Dio, l. 16. 325. Val. Max. 9. 13.

<sup>2</sup> App. l. 3. 586. Dio, 46. 322.

<sup>3</sup> Quamobrem advola, obsecro—hortare idem per litteras Cassium. Spes libertatis nusquam nisi in vestrorum castrorum principiis est. Ad Brut. 10.

A. Urb. 710. Cic. 64. Com.—C. Caesar

the Ides of March, when you freed it will do by coming quickly<sup>1</sup>."

After many remonstrances of the following letter:—

"CICERO TO BRUTUS.

"AFTER I had often exhorted you as soon as possible to the relief of the army into Italy, and never imagined to any scruples about it, I was desired by a diligent woman, your mother, all who employed on you, that I would come fourth of July; which I did, as I ought I came, I found Casca, Labeo, and presently entered into the affair, and as we should send for you to Italy; and for you to come, or to continue abroad took to be the most for your honour and out loss of time, you should bring present and declining state. For what mischief from that war, where the conquering a flying enemy? where a general, unseparated of the highest honours, and then a wife, children, and near relation to against the commonwealth? I may a concord of the senate and people, the disorder within the walls? But the great

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus. Q. Pedius.

gines at work to hold fast the young man, lest I incur the imputation of rashness. Though what rashness is it after all? for, in reality, I bound him, for whom I was engaged, more strongly than myself: nor has the republic, as yet, any cause to repent that I was his sponsor: since he has, hitherto, been the more firm and constant in acting for us, as well from his own temper as for my promise. The greatest difficulty in the republic, if I mistake not, is the want of money: for honest men grow every day more and more averse to the name of tribute; and what was gathered from the hundredth penny, where the rich are shamefully rated, is all spent in rewarding the two legions. There is an infinite expense upon us, to support the armies, which now defend us; and also yours; for our Cassius seems likely to come sufficiently provided. But, I long to talk over this, and many other things, with you in person; and that quickly. As to your sister's children, I did not wait, Brutus, for your writing to me: the times themselves, since the war will be drawn into length, reserve the whole affair to you: but from the first, when I could not foresee the continuance of the war, I pleaded the cause of the children in the senate, in a manner, which you have been informed of I guess by your mother's letters: nor can there ever be any case, where I will not both say and do, even at the hazard of my life, whatever I think agreeable either to your inclination, or to your interest. The twenty-sixth of July<sup>1</sup>."

In a letter, likewise, to Cassius, he says, "We wish to see you in Italy, as soon as possible; and shall imagine, that we have recovered the republic, when we have you with us. We had conquered nobly, if Lepidus had not received the routed, disarmed, fugitive Antony: wherefore Antony himself was never so odious to the city, as Lepidus is now: for he began a war upon us, from a turbulent state of things; this man from peace and victory. We have the consuls elect to oppose him: in whom indeed we have great hopes; yet not without an anxious care for the uncertain events of battles. Assure yourself, therefore, that all our dependance is on you and your Brutus; that you are both expected, but Brutus immediately<sup>2</sup>," &c.

But, after all these repeated remonstrances of Cicero, neither Brutus nor Cassius seem to have entertained the least thought of coming with their armies to Italy. Cassius, indeed, by being more remote, could not come so readily, and was not so much expected as Brutus; who, before the battle of Modena, had drawn down all his legions to the sea-coast, and kept them at

<sup>1</sup> Ibid. 18.

<sup>2</sup> Ep. Fam. 12. 10.

A. Urb. 710. Cic. 64. Coss.—C. Cæsar Octavianus. Q. Pedius.

without a head, by the death of the consuls, and there is an incredible scarcity of money in the treasury; which we are gathering, however, from all quarters, to make good our promises to the troops, that have deserved it of us; which cannot be done, in my opinion, without a tribute<sup>1</sup>." This tribute was a sort of capitation tax, proportioned to each man's substance, but had been wholly disused in Rome, from the conquest of Macedonia, by Paulus Æmilius, which furnished money and rents sufficient to ease the city ever after of that burthen, till the necessity of the present times obliged them to renew it<sup>2</sup>. But from what Cicero intimates of the general aversion to the revival of it, one cannot help observing the fatal effects of that indolence and luxury, which had infected even the honest part of Rome; who, in this utmost exigency of the republic, were shocked at the very mention of an extraordinary tax; and would not part with the least share of their money for the defence even of their liberty: the consequence of which was, what it must always be in the like case, that, by starving the cause, they found, not only their fortunes, but their lives also, soon after, at the mercy of their enemies. Cicero has a reflection in one of his speeches, that seems applicable also to the present case, and to be verified by the example of these times. "The republic," says he, "is attacked always with greater vigour, than it is defended; for the audacious and profligate, prompted by their natural enmity to it, are easily impelled to act upon the least nod of their leaders: whereas the honest, I know not why, are generally slow, and unwilling to stir; and neglecting always the beginnings of things, are never roused to exert themselves, but by the last necessity: so that through irresolution and delay, when they would be glad to compound at last for their quiet, at the expense even of their honour, they commonly lose them both<sup>3</sup>."

This observation will serve to vindicate the conduct of Cassius from that charge of violence and cruelty, which he is said to have practised, in exacting money, and other necessities, from the cities of Asia. He was engaged in an inexpiable war, where he must either conquer or perish with the republic itself; and where his legions were not only to be supported, but rewarded: the revenues of the empire were exhausted; con-

<sup>1</sup> De sumtu, quem te in rem militarem facere et fecisse dicis, nihil sane possum tibi opitulari, propterea quod et orbus Senatus, Consulibus amissis, et incredibiles angustiae pecuniæ publicæ, &c. Ibid. 12. 30.

<sup>2</sup> At Perse Rege devicto Paulus, cum Macedonicis opibus veterem atque hereditariam Urbis nostræ paupertatem eo usque satiasset, ut illo tempore primum populus Romanus tributî præstandi onere se liberaret. Val. Max. 4. 8. it. Plin. Hist. N. 33. 3.

<sup>3</sup> Pro Sextio, 47.

A. Urb. 710. Cic. 64. Cons.—C. Cæsar Octavianus. Q. Peditus.

pectation; and would certainly have gained his end, had he not been prevented by accidents which could not be foreseen. For it is evident, from the facts above-mentioned, that he was always jealous of Cæsar, and, instead of increasing, was contriving some check to his authority, till, by the death of the consuls, he slipped out of his hands, and became too strong to be managed by him any longer. Brutus, by being at such a distance, was not well apprized of the particular grounds of granting those honours; but Decimus, who was all the while in Italy, saw the use and necessity of them, and seems to hint, in some of his letters, that they ought to have decreed still greater<sup>1</sup>.

But whatever Brutus, or any one else, may have said, if we reflect on Cicero's conduct, from the time of Cæsar's death to his own, we shall find it, in all respects, uniform, great, and glorious; never deviating from the grand point which he had in view, the liberty of his country: whereas, if we attend to Brutus's, we cannot help observing in it something strangely various and inconsistent with itself. In his outward manners and behaviour, he affected the rigour of a stoic, and the severity of an old Roman; yet, by a natural tenderness and compassion, was oft betrayed into acts of effeminate weakness. To restore the liberty of his country, he killed his friend and benefactor; and declares, that, for the same cause, he would have killed even his father<sup>2</sup>: yet he would not take Antony's life, though it was a necessary sacrifice to the same cause. When Dolabella had basely murdered Trebonius, and Antony openly approved the act, he could not be persuaded to make reprisals on C. Antony; but, through a vain ostentation of clemency, suffered him to live, though with danger to himself. When his brother-in-law, Lepidus, was declared an enemy, he expressed an absurd and peevish resentment of it, for the sake of his nephews, as if it would not have been in his power to have repaired their fortunes, if the republic was ever restored; or if not, in their father's. How contrary is this to the spirit of that old Brutus, from whom he derived his descent, and whom in his general conduct, he pretended to imitate! He blames Cicero for dispensing honours too largely, yet claims an infinite share of them to himself; and when he had seized, by his private authority, what the senate, at Cicero's motion, confirmed to him, the most extraordinary command which had

<sup>1</sup> Mirabiliter, mi Brute, lætor, mea consilia, measque sententias a te probari, de Decemviris, de ornando adolescente. Ep. Fam. 11. 14. it. 20.

<sup>2</sup> — Non concesserim, quod in illo non tuli, sed ne patri quidem meo, si reviviscat, ut, patiente me, plus legibus ac Senatu possit. [Ad Brut. 16.] Sed dominum, ne parentem quidem, majores nostri voluerunt esse. Ibid. 17.

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you know already yourself, but that I cannot pass over in silence such an excellence of all good qualities) I would not have you imagine, I say, that, for probity, constancy, and zeal for the republic, there is any one equal to him; so that eloquence, in which he wonderfully excels, scarce finds a place among his other praises: since, even in that, his wisdom shines the most eminent, by his having formed himself with so much judgment and skill to the truest manner of speaking. Yet his industry, all the while is so remarkable, that he spends so much of his time in study, that he seems to owe but little to his parts, which still are the greatest. But I am carried too far by my love for him; for it is not the purpose of this epistle to praise Messala, especially to Brutus, to whom his virtue is not less known than to myself; and these very studies, which I am praising still more: whom when I could not part with without regret, I comforted myself by reflecting, that by his going away to you, as it were to my second self, he both discharged his duty, and pursued the truest path to glory. But so much for that<sup>1</sup>. I come now, after a long interval, to consider a certain letter of your's, in which, while you allow me to have done well in many things, you find fault with me for one; that, in conferring honours I was too free, and even prodigal. You charge me with this; others, probably, with being too severe in punishing, or you yourself, perhaps, with both: if so, I desire that my judgment and sentiments on each may be clearly explained to you: not that I mean to justify myself by the authority of Solon, the wisest of the seven, and the only

<sup>1</sup> Publius Valerius Messala Corvinus, of whom Cicero here gives so fine a character, was one of the noblest, as well as the most accomplished persons of his age, who lived long afterwards, the general favourite of all parties, and a principal ornament of Augustus's court. Being in arms with Brutus, he was proscribed, of course, by the triumvirate, yet was excepted soon after by a special edict, but refused the benefit of that grace, and adhered to the cause of liberty till he saw it expire, with his friend. After the battle of Philippi, the troops that remained freely offered themselves to his command; but he chose to accept peace, to which he was invited by the conquerors, and surrendered himself to Antony, with whom he had a particular acquaintance. When Cæsar was defeated, not long after, by S. Pompey, on the coast of Sicily, being in the utmost distress and danger of life, he committed himself, with one domestic, to the fidelity of Messala; who, instead of revenging himself on one who had so lately proscribed and set a price upon his head, generously protected and preserved him. He continued still in the friendship of Antony, till the scandal of Antony's life, and slavish obsequiousness to Cleopatra, threw him wholly into the interests of Cæsar, by whom he was declared consul in Antony's place, greatly entrusted in the battle of Actium, and honoured at last with a triumph, for reducing the rebellious Gauls to their obedience. He is celebrated by all writers, as one of the first orators in Rome; and having been the disciple of Cicero, was thought by some, to excel even his master, in the sweetness and correctness of his style; preserving always a dignity, and demonstrating his nobility by the very manner of his speaking. To the perfection of his eloquence he had added all the accomplishments of the other liberal arts; was a great admirer of Socrates, and the severer studies of philosophy, yet an eminent patron of all the wits and poets of those times. Tibullus was the constant companion of all his foreign expeditions, which he celebrates in his elegies; and Horace, in one of his odes, calls for his choicest wines, for the entertainment of so noble a guest. Yet this polite and amiable man, impaired by sickness, and worn out at last by age, is said to have outlived his senses and memory, till he had forgotten even his very name. See App. p. 611. 736. Tacit. Dial. 18. Quintil. 10. 1. Tibul. Eleg. lib. 1. 7. Hor. Carm. 3. 21. Plin. Hist. N. 7. 24.

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what honour was not really due to him? though I gave him nothing yet but the praise of words, and that but moderate. I decreed him, indeed, a legal command: which, though it seemed honourable to one of that age, was yet necessary to one who had an army: for what is an army without the command of it? Philip voted him a statue; Servius the privilege of suing for offices before the legal time, which was shortened still by Servilius; nothing was then thought too much; but we are apt, I know not how, to be more liberal in fear, than grateful in success. When D. Brutus was delivered from the siege, a day of all others the most joyous to the city, which happened also to be his birth-day, I decreed, that his name should be ascribed for ever to that day, in the public calendars. In which I followed the example of our ancestors, who paid the same honour to a woman, Larentia; at whose altar your priests perform sacred rites in the Velabrum: by giving this to D. Brutus, my design was, to fix in the calendars a perpetual memorial of a most acceptable victory: but I perceived, on that day, that there was more malevolence than gratitude in many of the senate. During these same days, I poured out honours (since you will have it so) on the deceased Hirtius, Pansa, and Aquila: and who can find fault with it, but those who, when fear is once over, forget their past danger? But besides the grateful remembrance of services, there was an use in it, which reached to posterity: for I was desirous, that there should remain an eternal monument of the public hatred to our most cruel enemies. There is one thing, I doubt, which does not please you; for it does not please your friends here; who, though excellent men, have but little experience in public affairs; that I decreed an ovation to Cæsar: but, for my part (though I may perhaps be mistaken, for I am not one of those who approve nothing but what is my own), I cannot but think, that I have advised nothing more prudent during this war. Why it is so, is not proper to be explained, lest I be thought to have been more provident in it than grateful. But even this is too much: let us pass, therefore, to other things. I decreed honours to D. Brutus; decreed them to Plancus: they must be men of great souls, who are attracted by glory: but the senate also is certainly wise, in trying every art that is honest, by which it can engage any one to the service of the republic. But I am blamed in the case of Lepidus: to whom after I had raised a statue in the rostra, I presently threw it down. My view in that honour, was to reclaim him from desperate measures; but the madness of an inconstant man got the better of my prudence: nor was there yet so much harm in

OF C. JULIUS CÆSAR, OCTAVIANUS, Q. P. P.

... good in demolishing the statue. But I have still  
 some concerns concerning honours; and must say a word or two  
 about punishments: for I have often observed from your  
 actions that you are fond of acquiring a reputation of clemency,  
 in your treatment of those whom you have conquered in war.  
 I can imagine nothing to be done by you, but what is wisely  
 done: not to omit the punishing of wickedness (which we call  
 punishing), though it be tolerable in other cases, I hold to be  
 pernicious in this war. Of all the civil wars that have been in  
 my memory, there was not one, in which what side soever got  
 the better, there would not have remained some form of a com-  
 monwealth: yet, in this, what sort of a republic we are like to  
 have, if we conquer, I would not easily affirm: but if we are  
 conquered, we are sure to have none. My votes, therefore,  
 were severe against Antony; severe against Lepidus: not from  
 any spirit of revenge, but to deter wicked citizens, at present,  
 from making war against their country; and to leave an ex-  
 ample to posterity, that none hereafter should imitate such  
 madness. Yet, this very vote was not more mine, than it was  
 everybody's: in which there seems, I own, to be something  
 even that the punishment should reach to children who have  
 done nothing to deserve it: but the constitution is both ancient,  
 and of all cities: for even Themistocles's children were reduced  
 to slavery: and since the same punishment falls upon citizens,  
 concerned of public crimes, how was it possible for us to be  
 more gentle towards enemies? But how can that man com-  
 pare with me, who, if he had conquered, must needs confess,  
 that we would have treated me even with more severity? You

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re, than, as some think, to my own constancy; but it is my desire both to be, and to appear constant, in nothing so much as in loving you<sup>1</sup>.”

“BRUTUS TO CICERO.

“I HAVE read a part of your letter which you sent to Octavius, transmitted to me by Atticus. Your zeal and concern for my safety gave me no new pleasure; for it is not only common, but our daily news, to hear something which you have said or done with your usual fidelity in the support of my honour and dignity. Yet that same part of your letter affected me with the most sensible grief which my mind could possibly receive. For you compliment him so highly for his services to the republic, and in a strain so suppliant and abject, that,—what shall I say? I am ashamed of the wretched state to which we are reduced—yet it must be said—you recommend my safety to him! to which, what death is not preferable? and plainly shew, that our servitude is not yet abolished, but our master only changed. Recollect your words, and deny them, if you dare, to be the prayers of a slave to his king. There is one thing, you say, which is required and expected from him, that he would allow those citizens to live in safety, of whom all honest men and the people of Rome think well. But what if he will not allow it? Shall we be the less safe for that? It is better not to be safe than to be saved by him. For my part I can never think all the gods so averse to the preservation of the Roman people, that Octavius must be entreated for the life of any one citizen; much less for the deliverers of the world. It is a pleasure to me to talk thus magnificently; and it even becomes me to those, who know not either what to fear for any one, or what to ask of any one. Can you allow Octavius to have this power, and yet be his friend? or if you have any value for me, would you wish to see me at Rome, when I must first be recommended to the boy, that he would permit me to be there? what reason can you have to thank him, if you think it necessary to beg of him that he would grant and suffer us to live in safety? or is it to be reckoned a kindness, that he chooses to see himself, rather than Antony, in the condition to have such petitions addressed to him? one may supplicate, indeed, the successor, but never the abolisher of a tyranny, that those who have deserved well of the republic may be safe. It was this weakness and despair, not more blameable, indeed, in you than in all, which first pushed Cæsar to the ambition of reigning; and, after his death, encouraged

<sup>1</sup> Ad Brut. 15.

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hour and liberty? Do you fancy, that to live at Rome is to be safe? It is the thing and not the place, which must secure that to me: for I was never safe while Cæsar lived, till I had resolved on that attempt: nor can I, in any place, live in exile, as long as I hate slavery and affronts above all other evils. Is not this to fall back again into the same state of darkness; when he, who has taken upon him the name of the tyrant, (though in the cities of Greece, when the tyrants are destroyed, their children also perish with them,) must be entreated, that the avengers of tyranny may be safe? Can I ever wish to see that city, or think it a city, which would not accept liberty when offered, and even forced upon it, but has more dread of the name of their late king, in the person of a boy, than confidence in itself; though it has seen that very king taken off, in the height of all his power, by the virtue of a few? As for me, do not recommend me any more to your Cæsar, nor indeed yourself, if you will hearken to me. You set a very high value on the few years which remain to you at that age, if, for the sake of them, you can supplicate that boy. But take care, after all, lest what you have done, and are doing, so laudably against Antony, instead of being praised, as the effect of a great mind, be charged to the account of your fear; for, if you are so pleased with Octavius, as to petition him for our safety, you will be thought not to have disliked a master, but to have wanted a more friendly one. As to your praising him for the things that he has hitherto done, I entirely approve it; for they deserved to be praised, provided that he undertook them to repel other men's power, not to advance his own. But, when you adjudge him not only to have this power, but that you ought to submit to it so far as to entreat him that he would not destroy us, you pay him too great a recompence; for you ascribe that very thing to him, which the republic seemed to enjoy through him; nor does it ever enter into your thoughts, that if Octavius be worthy of any honours, because he wages war with Antony, that those, who extirpated the very evil of which these are but the relics, can never be sufficiently requited by the Roman people, though they were to heap upon them every thing which they could bestow: but see how much stronger people's fears are than their memories, because Antony still lives, and is in arms! As to Cæsar, all that could and ought to be done is past, and cannot be recalled. Is Octavius, then, a person of so great importance, that the people of Rome are to expect from him what he will determine upon us? or are we of so little, that any single man is to be entreated for our safety? As for me, may I never return to you, if ever I

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If we compare these two letters, we shall perceive in Cicero's an extensive view and true judgment of things, tempered with the greatest politeness and affection for his friend, and an unwillingness to disgust, where he thought it necessary even to blame. In Brutus's, a churlish and morose arrogance, claiming infinite honours to himself, yet allowing none to any body else; insolently chiding and dictating to one as much superior to him in wisdom as he was in years; the whole turning upon that romantic maxim of the stoics, enforced without any regard to times and circumstances—that a wise man has a sufficiency of all things within himself. There are, indeed, many noble sentiments in it, worthy of old Rome, which Cicero, in a proper season, would have recommended as warmly as he; yet they were not principles to act upon in a conjuncture so critical; and the rigid application of them is the less excusable in Brutus, because he himself did not always practise what he professed, but was too apt to forget both the stoic and the Roman.

Octavius had no sooner settled the affairs of the city, and subdued the senate to his mind, than he marched back towards Gaul, to meet Antony and Lepidus, who had already passed the Alps, and brought their armies into Italy, in order to have a personal interview with him, which had been privately concerted, for settling the terms of a triple league, and dividing the power and provinces of the empire among themselves. All the three were natural enemies to each other, competitors for empire, and aiming severally to possess what could not be obtained but with the ruin of the rest: their meeting, therefore, was not to establish any real amity or lasting concord, for that was impossible, but to suspend their own quarrels for the present, and with common forces to oppress their common

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which he complains had been true; that Cicero had reproached Casca with the murder of Cæsar, and called him an assassin. "I do not know," says he, "what I can write to you, but this—that the ambition and licentiousness of the boy has been inflamed, rather than restrained, by Cicero, who carries his indulgence of him to such a length, as not to refrain from abuses upon Casca, and such as must return doubly upon himself, who has put to death more citizens than one, and must first own himself to be an assassin, before he can reproach Casca with what he objects to him." [Ep. ad Brut. 17.] Manutius professes himself unable to conceive how Cicero should ever call Casca a murderer, yet cannot collect any thing less from Brutus's words. But the thing is impossible, and inconsistent with every word that Cicero had been saying, and every act that he had been doing, from the time of Cæsar's death: and in relation particularly to Casca, we have seen above, how he refused to enter into any measures with Octavius, but upon the express condition of his suffering Casca to take quiet possession of the tribunate: it is certain, therefore, that Brutus had either been misinformed, or was charging Cicero with the consequential meaning of some saying, which was never intended by him: in advising Casca perhaps, to manage Octavius, in that height of his power, with more temper and moderation, lest he should otherwise be provoked to consider him as an assassin, and treat him as such; for an intimation of that kind would have been sufficient to the fierce spirit of Brutus, for taking it as a direct condemnation of Casca's act of stabbing Cæsar, to which Cicero had always given the highest applause.

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happy union of their chiefs; which, at the desire of the soldiers, was ratified likewise by a marriage, agreed to be consummated between Octavius and Claudia, the daughter of Antony's wife Fulvia, by her first husband P. Clodius.

The last thing that they adjusted was the list of a proscription, which they were determined to make of their enemies. This, as the writers tell us, occasioned much difficulty and warm contests amongst them; till each of them, in his turn, consented to sacrifice some of his best friends to the revenge and resentment of his colleagues. The whole list is said to have consisted of three hundred senators and two thousand knights, all doomed to die, for a crime the most unpardonable to tyrants—their adherence to the cause of liberty. They reserved the publication of the general list to their arrival at Rome, excepting only a few of the most obnoxious, the heads of the republican party, about seventeen in all, the chief of whom was Cicero. These they marked out for immediate destruction, and sent their emissaries away, directly, to surprise and murder them, before any notice could reach them of their danger: four of this number were presently taken, and killed, in the company of their friends, and the rest hunted out by the soldiers in private houses and temples; which presently filled the city with an universal terror and consternation, as if it had been taken by an enemy: so that the consul, Pedius, was forced to run about the streets all the night, to quiet the minds, and appease the fears, of the people; and, as soon as it was light, published the names of the seventeen who were principally sought for, with an assurance of safety and indemnity to all others: but he himself was so shocked and fatigued, by the horror of this night's work, that he died the day following<sup>1</sup>.

We have no hint from any of Cicero's letters (for none remain to us of so low a date), what his sentiments were on this interview of the three chiefs, or what resolution he had taken in consequence of it. He could not but foresee that it must needs be fatal to him, if it passed to the satisfaction of Antony and Lepidus; for he had several times declared, that he expected the last severity from them, if ever they got the better. But whatever he had cause to apprehend, it is certain, that it was still in his power to avoid it, by going over to Brutus, in Macedonia; but he seems to have thought that remedy worse than the evil; and had so great an abhorrence, of entering again, in his advanced age, into a civil war, and so little value for the few years of life which remained to him, that he declares it a thousand times better to die, than to seek his safety from

<sup>1</sup> App. l. 4. init. Dio, p. 326. Plut. in Anton. et Cic. Vell. Pat. 2. 65.

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fully, that, by conquering at Modena, he would have made himself, probably, the sole master of Rome; while the only difference of being conquered, was to admit two partners with him into the empire: the one of whom, at least, he was sure always to govern.

Octavius's conduct was not less politic or vigorous: he had great parts, and an admirable genius, with a dissimulation sufficient to persuade, that he had good inclinations too. As his want of years and authority made it impossible for him to succeed immediately to his uncle's power, so his first business was to keep the place vacant, till he should be more ripe for it; and to give the exclusion, in the mean while, to every body else. With this view, he acted the republican with great gravity; put himself under the direction of Cicero; and was wholly governed by his advice, as far as his interest carried him; that is, to depress Antony, and drive him out of Italy; who was his immediate and most dangerous rival. Here he stopped short, and paused awhile to consider what new measures this new state of things would suggest: when, by the unexpected death of the two consuls, finding himself, at once, the master of every thing at home, and Antony, by the help of Lepidus, rising again the stronger from his fall, he saw presently that his best chance for empire was to content himself with a share of it, till he should be in condition to seize the whole; and from the same policy with which he joined himself with the republic, to destroy Antony, he now joined with Antony, to oppress the republic, as the best means of securing and advancing his own power.

Lepidus was the dupe of them both; a vain, weak, inconstant man; incapable of empire, yet aspiring to the possession of it; and abusing the most glorious opportunity of serving his country, to the ruin both of his country and himself. His wife was the sister of M. Brutus, and his true interest lay in adhering to that alliance: for if, by the advice of Laterensis, he had joined with Plancus and D. Brutus, to oppress Antony, and give liberty to Rome, the merit of that service, added to the dignity of his family and fortunes, would necessarily have made him the first citizen of a free republic. But his weakness deprived him of that glory: he flattered himself, that the first share of power, which he seemed at present to possess, would give him, likewise, the first share of empire: not considering, that military power depends on the reputation and abilities of him who possesses it: in which, as his colleagues far excelled him, so they would be sure always to eclipse, and whenever they thought it proper, to destroy him. This he found afterwards to be the case, when Cæsar forced him to beg

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For his safety than themselves, forced him into his litter or portable chair, and carried him away towards the ship, through the private ways and walks of his woods: having just perceived that soldiers were already come into the country in quest of him, and not far from the villa. As soon as they were near the house, the soldiers arrived at the house, and perceiving him to be fled, pursued immediately towards the sea, and overtook him in the wood. Their leader was one Popilius Lænas, a tribune or colonel of the army, whom Cicero had formerly defended and preserved in a capital cause. As soon as the soldiers appeared, the servants prepared themselves to fight, being resolved to defend their master's life at the hazard of their own: but Cicero commanded them to set him down, and to make no resistance<sup>1</sup>: then looking upon his executioners with a presence and firmness, which almost daunted them, and thrusting his neck as forwardly as he could out of the litter, he bade them do their work, and take what they wanted: upon which they presently cut off his head, and both his hands, and returned with them, in all haste and great joy, towards Rome, as the most agreeable present which they could possibly carry to Antony. Popilius charged himself with the conveyance, without reflecting on the infamy of carrying that head which had saved his own<sup>2</sup>: he found Antony in the Forum, surrounded with guards and crowds of people: but upon shewing from a distance the spoils which he brought, he was rewarded upon the spot, with the honour of a crown, and about eight thousand pounds sterling. Antony ordered the head to be fixed upon the rostra, between the two hands: a sad spectacle to the city, and what drew tears from every eye; to see those mangled members, which used to exert themselves so gloriously from that place, in defence of their lives, the fortunes, and the liberties of the Roman people, so lamentably exposed to the scorn of sycophants and traitors. The deaths of the rest, says an historian of that age, caused only a private and particular sorrow, but Cicero's an universal one<sup>3</sup>: it was a triumph over the republic itself; and seemed to confirm and establish the perpetual slavery of Rome. Antony considered it as such, and satiated with Cicero's blood, declared the proscription at an end.

<sup>1</sup> Satis constat servos fortiter fideliterque paratos fuisse ad dimicandum: ipsum deponi lecticam, et quietos pati, quod sors iniqua cogeret, jussisse. Liv. Fragm. Ibid.

<sup>2</sup> Ea sarcina, tanquam opimis spoliis alacer in urbem reversus est. Neque ei scelestum portanti onus succurrit, illud se caput ferro, quod pro capite ejus quondam peroraverat. Val. Max. 5. 3.

<sup>3</sup> Cæterorumque cædes privatos luctus exultaverunt; illa una communem—[Cremutius Cordus apud Senec.] Civitas lacrymas tenere non potuit, quum recisum Ciceronis caput in illis suis rostris videretur. L. Flor. 4. 6.



took the book into his hands, and turning over a great part of it, gave it back again, and said, This was a learned my child, and a lover of his country<sup>1</sup>.

In the succeeding generation, as the particular envy to Cicero subsided, by the death of those whom private interests or personal quarrels had engaged to hate him when living, to defame him when dead, so his name and memory began to shine out in its proper lustre: and in the reign even of Tiberius, when an eminent senator and historian, Cremutius Cordus, was condemned to die for praising Brutus, yet Paterculus could not forbear breaking out into the following warm expostulation to Antony, on the subject of Cicero's death: "Thou hast done nothing, Antony; hast done nothing, I say, by setting a price on that divine and illustrious head, and by a detestable reward, procuring the death of so great a consul and preserver of the republic. Thou hast snatched from Cicero a troublesome being; a declining age; a life more miserable under thy dominion, than death itself; but, so far from diminishing the glory of his deeds and sayings, thou hast increased it. He lives, and will live, in the memory of all ages; and, as long as this system of nature, whether by chance or Providence, or what way soever formed, which he alone, of all the Romans, comprehended in his mind, and illustrated by his eloquence, shall remain entire, it will draw the praises of Cicero along with it: and all posterity will admire his writings against thee, curse thy act against him<sup>2</sup>."

From this period, all the Roman writers, whether poets or historians, seem to vie with each other in celebrating the praises of Cicero, as the most illustrious of all their patriots, and the parent of the Roman wit and eloquence; who had done more honour to his country, by his writings, than all their conquerors by their arms, and extended the bounds of their learning beyond those of their empire<sup>3</sup>. So that their very emperors, near three centuries after his death, began to reverence him in the class of their inferior deities<sup>4</sup>: a rank

<sup>1</sup> Plut. vit. Cic. There is another story of the same kind recorded by Macrobius, to shew Augustus's moderation with regard also to Cato: that Augustus being one day in the house which had belonged to Cato, where the master of it, out of compliment to his great guest, took occasion to reflect on Cato's perverseness, he stopped him short, by saying, that he would suffer no change in the constitution of his city, was a good citizen, and honest man: but by this character of Cato's honesty, he gave a severe wound to his own, who not only changed but usurped the government of his country. Macrobius. Saturn. 2. 4.

<sup>2</sup> Vell. Pat. 2. 66.

<sup>3</sup> Facundiæ, Latinarumque literarum parens—atque—omnium triumphorum lauream ad apte majorem, quanto plus est ingenii Romani terminos in tantum promovisse, quam imperii. Plin. Hist. 7. 30.

Qui effecit, ne quorum arma vicceramus, eorum ingenio vinceremur. Vell. Pat. 2. 34.

<sup>4</sup> Lamprid. vit. Alex. Sever. c. 31.

... preserved to this day, if he had ...  
 ... Rome, where he could not have ...  
 ... from the innocence of his life, of obtaining  
 ... of a saint.  
 ... person, he was tall and slender, with a ...  
 ... yet his features were regular and manly.  
 ... readiness and dignity to the last, with a certain  
 ... and serenity, that imprinted both affection  
 ... His constitution was naturally weak, yet was  
 ... by his management of it, as to enable him to sur-  
 ... vigours of the most active, as well as the most sto-  
 ... with perpetual health and vigour. The care that  
 ... upon his body consisted chiefly in bathing  
 ... with a few turns every day in his gardens, for  
 ... of his voice from the labours of the bar: yet  
 ... he generally gave himself the exercise of walk-  
 ... visit his several estates and villas in different  
 ... But his principal instrument of health was his  
 ... by these, he preserved himself from all violent  
 ... and, when he happened to be attacked by  
 ... disposition, used to enforce the severity of his  
 ... and starve it presently by fasting.  
 ... his clothes and dress, which the wise have usually  
 ... as an index of the mind, he observed, what he pre-  
 ... in his Book of Offices, a modesty and decency, adap-  
 ... and character: a perpetual cleanliness, without  
 ... of pains: free from the affectation of singu-  
 ... avoiding the extremes of a rustic negligence, and foppish  
 ... both of which are equally contrary to the

all his cares, and relieve himself from all his struggles in the senate and the Forum<sup>1</sup>. The same affection, in an inferior degree, was extended also to his slaves; when, by their fidelity and services, they had recommended themselves to his favour. We have seen a remarkable instance of it in Tiro, whose case was no otherwise different from the rest, than as it was distinguished by the superiority of his merit. In one of his letters to Atticus, "I have nothing more," says he, "to write; and my mind, indeed, is somewhat ruffled at present; for Sositheus, my reader, is dead; a hopeful youth, which has afflicted me more than one would imagine the death of a slave ought to do<sup>2</sup>."

He entertained very high notions of friendship, and of its excellent use and benefit to human life; which he has beautifully illustrated in his entertaining treatise on that subject, where he lays down no other rules, than what he exemplified by his practice. For in all the variety of friendships, in which his eminent rank engaged him, he was never charged with deceiving, deserting, or even slighting any one, whom he had once called his friend, or esteemed an honest man. It was his delight to advance their prosperity, to relieve their adversity; the same friend to both fortunes; but more zealous only in the bad, where his help was the most wanted, and his services the most disinterested; looking upon it not as a friendship, but a sordid traffic and merchandize of benefits, where good offices are to be weighed by a nice estimate of gain and loss<sup>3</sup>. He calls gratitude the mother of virtues; reckons it the most capital of all duties; and uses the words, grateful and good, as terms synonymous, and inseparably united in the same character. His writings abound with sentiments of this sort, as his life did with the examples of them<sup>4</sup>; so that one of his friends, in apologizing for the importunity of a request, observes to him, with great truth, that the tenor of his life would be a sufficient excuse for it: since he had established such a custom, of doing every thing for his friends, that they no longer requested, but claimed a right to command him<sup>5</sup>.

<sup>1</sup> Ut tantum requietis habeam, quantum cum uxore, et filiola et mellito Cicerone consumitur. Ad Att. 1. 18.

<sup>2</sup> Nam puer festivus, anagnostes noster, Sositheus decesserat, meque plus quam servi mors debere videbatur, commoverat. Ibid. 12.

<sup>3</sup> Ubi illa sancta amicitia? si non ipse amicus per se amatur toto pectore. [De Leg. 1. 18.] quam si ad fructum nostrum referemus, non ad illius commoda, quem diligimus, non erit ista amicitia, sed mercatura quædam utilitatum suarum. De Nat. Deor. 1. 44.

<sup>4</sup> Cum omnibus virtutibus me affectum esse cupiam, tamen nihil est quod malim, quam me et gratum esse et videri. Est enim hæc una virtus non solum maxima, sed etiam mater virtutum omnium—quæ potest esse jucunditas vitæ sublatiis amicitiiis? quæ porro amicitia potest esse inter ingratos? Pro Planc. 33. De Fin. 2. 22.

<sup>5</sup> Nam quod ita consueris pro amicis laborare, non jam sic sperant abs te, sed etiam sic imperant tibi familiares. Ep. Fam. 6, 7.

again at noon, as all others generally did, and as it is commonly practised in Rome to this day<sup>1</sup>.

But though he was so temperate and studious, yet, when he was engaged to sup with others, either at home or abroad, he laid aside his rules, and forgot the invalid; and was gay and sprightly, and the very soul of the company. When friends were met together, to heighten the comforts of social life, he thought it inhospitable, not to contribute his share to their common mirth, or to damp it by a churlish reservedness. But he was really a lover of cheerful entertainments; being of a nature remarkably facetious, and singularly turned to raillery<sup>2</sup>: a talent, which was of great service to him at the bar, to correct the petulance of an adversary, relieve the satiety of a tedious cause, divert the minds of the judges, and mitigate the rigour of a sentence, by making both the bench and audience merry at the expense of the accuser<sup>3</sup>.

This use of it was always thought fair, and greatly applauded in public trials: but in private conversations, he was charged sometimes, with pushing his raillery too far; and, through a consciousness of his superior wit, exerting it often intemperately, without reflecting what cruel wounds his lashes inflicted<sup>4</sup>. Yet, of all his sarcastical jokes, which are transmitted to us by antiquity, we shall not observe any, but what were pointed against characters, either ridiculous or profligate; such as he despised for their follies, or hated for their vices; and though he might provoke the spleen, and quicken the malice of enemies, more than was consistent with a regard to his own ease, yet he never appears to have hurt or lost a friend, or any one whom he valued, by the levity of jesting.

It is certain, that the fame of his wit was as celebrated as that of his eloquence, and that several spurious collections of his sayings were handed about, in Rome, in his life-time<sup>5</sup>; till his friend Trebonius, after he had been consul, thought it worth while to publish an authentic edition of them, in a volume which he addressed to Cicero himself<sup>6</sup>. Cæsar, likewise, in

<sup>1</sup> Nunc quidem propter intermissionem forensis operæ, et lucubrationes detraxi et meridiationes addidi, quibus uti antea non solebam. De Div. 2. 58.

<sup>2</sup> Ego autem, existimes quod lubet, mirifice capior facetiis, maxime nostratibus. [Ep. Fam. 9. 15.] Nec id ad voluptatem refero, sed ad communitatem vitæ atque victus, remissionemque animorum, quæ maxime sermone efficitur familiari, qui est in conviviis dulcissimus—[Ibid. 24.] convivio delector. Ibi loquor quod in solum, ut dicitur, et gemitum etiam in risus maximos transfero. [Ibid. 26.]

<sup>3</sup> —Suavis est et vehementer sæpe utilis jocus et facetiæ—multum in causis persæpe lepore et facetiis profici vidi. De Orat. 2. 54.

Quæ risum judicis movendo et illos tristes solvit affectus, et animum ab intentione rerum frequenter avertit, et aliquando etiam reficit, et a satietate vel a fatigatione renovat. Quintil. 1. 6. c. 3.

<sup>4</sup> Noster vero non solum extra judicia, sed in ipsis etiam orationibus habitus est nimis risus affectator. Ibid. vid. Plut.

<sup>5</sup> Ais enim, ut ego discesserim, omnia omnium dicta—in me conferri. Ep. Fam. 7. 32. it. 9. 16.

<sup>6</sup> Liber iste, quem mihi misisti, quantam habet declarationem amoris tui? primum,

with him, in their excursions from Rome. But, besides these, that may properly be reckoned seats, with large plantations and gardens around them, he had several little inns, as he calls them, or baiting places, on the road, built for his accommodation, in passing from one house to another<sup>1</sup>.

His Tusculan house had been Sylla's, the dictator, and in one of its apartments had a painting of his memorable victory near Nola, in the Marsic war, in which Cicero had served under him as a volunteer<sup>2</sup>: it was about four leagues from Rome, on the top of a beautiful hill, covered with the villas of the nobility, and affording an agreeable prospect of the city, and the country around it, with plenty of water flowing through his grounds, in a large stream or canal, for which he paid a rent to the corporation of 'Tusculum'. Its neighbourhood to Rome gave him the opportunity of a retreat at any hour, from the fatigues of the bar, or the senate, to breathe a little fresh air, and to divert himself with his friends or family: so that this was the place in which he took the most delight, and spent the greatest share of his leisure; and, for that reason, improved and adorned it beyond all his other houses<sup>3</sup>.

When a greater satiety of the city, or a longer vacation in the Forum, disposed him to seek a calmer scene, and more undisturbed retirement, he used to remove to Antium, or Astura. At Antium he placed his best collection of books, and, as it was not above thirty miles from Rome, he could have daily intelligence there of every thing that passed in the city. Astura was a little island, at the mouth of a river of the same name, about two leagues further towards the south, between the promontories of Antium and Circæum, and in the view of them both,—a place peculiarly adapted to the purposes of solitude, and a secure retreat,—covered with a thick wood, cut out into shady walks, in which he used to spend the gloomy and splenetic moments of his life.

In the height of summer, the mansion-house, at Arpinum, and the little island adjoining, by the advantage of its groves

<sup>1</sup> Ego accepi in Diversoriolo Sinuessano, tuas litteras. Ibid. 14. 8.

<sup>2</sup> Idque etiam in villa sua Tusculana, quæ postea fuit Ciceronis, Sylla pinxit. Plin. Hist. Nat. 22. 6.

<sup>3</sup> Ego Tusculanis pro Aqua Crahra vectigal pendam, quia a Municipio fundum accepi. Con. Rull. 3. 2.

<sup>4</sup> Quæ mihi antea signa misisti,—cæ omnia in Tusculanum deportabo.—[Ad Att. 1. 4.] Nos ex omnibus laboribus et molestiis uno illo in loco conquiescimus. [Ibid. 5.] Nos Tusculano ita delectamur, ut nobismet ipsis tum denique, cum illo venimus, placeamus. Ibid. 6.

The situation of this Tusculan house, which had been built, perhaps, by Sylla, confirms what Seneca has observed of the villas of all the other great captains of Rome—Marius, Pompey, Cæsar; that they were placed always on hills, or the highest ground that they could find, it being thought more military, to command the view of the country beneath them, and that houses so situated had the appearance of a camp, rather than a villa—[Senec. Epist. 51.]—But this delightful spot is now possessed by a convent of monks, called Grotta Ferrata, where they still shew the remains of Cicero's columns and fine buildings, and the ducts of water that flowed through his gardens.

The place, which all its pride from Cicero drew,  
 Repays this honour, to his memory due ;  
 That, since his works throughout the world are spread,  
 And with such eagerness by all are read,  
 New springs of healing quality should rise,  
 To ease th' increase of labour to the eyes.

The furniture of his houses was suitable to the elegance of his taste and the magnificence of his buildings; his galleries were adorned with statues and paintings of the best Grecian masters, and his vessels and moveables were of the best work and choicest materials. There was a cedar table of his remaining in Pliny's time, said to be the first which was ever seen in Rome, and to have cost him eighty pounds<sup>1</sup>. He thought it the part of an eminent citizen to preserve an uniformity of character in every article of his conduct, and to illustrate his dignity by the splendour of his life. This was the reason of the great variety of his houses, and of their situation in the most conspicuous parts of Italy, along the course of the Appian road; that they might occur at every stage to the observation of travellers, and lie commodious for the reception and entertainment of his friends.

The reader, perhaps, when he reflects on what the old writers have said, of the mediocrity of his paternal estate, will be at a loss to conceive whence all his revenues flowed, that enabled him to sustain the vast expense of building and maintaining such a number of noble houses: but the solution will be easy, when we recollect the great opportunities that he had of improving his original fortunes. The two principal funds of wealth to the leading men of Rome, were,—first, the public magistracies and provincial commands; secondly, the presents of kings, princes, and foreign states, whom they had obliged by their services and protection: and though no man was more moderate in the use of these advantages than Cicero, yet, to one of his prudence, economy, and contempt of vicious pleasures, these were abundantly sufficient to answer all his expenses<sup>2</sup>: for, in his province of Cilicia, after all the memorable instances of his generosity, by which he saved to the public a full million sterling, which all other governors had applied to their private use, yet, at the expiration of his year, he left in the hands of the publicans, in Asia, near twenty thousand pounds, reserved from the strict dues of his government, and remitted to him afterwards at Rome<sup>3</sup>. But there was another way of acquiring money, esteemed the most reputable of any,

<sup>1</sup> Extat hodie M. Ciceronis, in illa paupertate, et quod magis mirum est, illo ævo empta H. S. X. [Plin. Hist. Nat. 13. 15.] nullius ante Ciceronianam vetustior memoria est. Ibid. 16.

<sup>2</sup> Parva sunt, quæ desunt nostris quidem moribus, et ea sunt ad explicandum expeditissima, modo valcamus. Ad Quint. 2. 15.

<sup>3</sup> Ego in cistophoro in Asia habeo ad H. S. bis et vicies, hujus pecuniæ permutatione fidem nostram facile tuebere. Ad Att. 11. 1.

the favour of the ladies, whose company he used to frequent when young, and with many of whom, of the first quality, he was oft engaged, in his riper years, to confer about the interests of their husbands, brothers, or relations, who were absent from Rome: yet we meet with no trace of any criminal gallantry or intrigue with any of them. In a letter to Pætus, towards the end of his life, he gives a jocose account of his supping with their friend Volumnius, an Epicurean wit, of the first class, when the famed courtesan, Cytheris, who had been Volumnius's slave, and was then his mistress, made one of the company at table: where, after several jokes on that incident, he says that he never suspected that she would have been of the party; and though he was always a lover of cheerful entertainments, yet nothing of that sort had ever pleased him when young, much less now, when he was old<sup>1</sup>. There was one lady, however, called Cærellia, with whom he kept up a particular familiarity and correspondence of letters; on which Dio, as it has been already hinted, absurdly grounds some little scandal, though he owns her to have been seventy years old. She is frequently mentioned in Cicero's letters, as a lover of books and philosophy, and, on that account, as fond of his company and writings; but while, out of complaisance to her sex, and a regard to her uncommon talents, he treated her always with respect; yet, by the hints which he drops of her to Atticus, it appears that she had no share of his affections, or any real authority with him<sup>2</sup>.

His failings were as few as were ever found in any eminent genius; such as flowed from his constitution, not his will, and were chargeable rather to the condition of his humanity, than to the fault of the man. He was thought to be too sanguine in prosperity, too desponding in adversity, and apt to persuade himself, in each fortune, that it would never have an end<sup>3</sup>. This is Pollio's account of him, which seems, in general, to be true; Brutus touches the first part of it, in one of his letters to him, and when things were going prosperously against Antony, puts him gently in mind, that he seemed to trust too much to his hopes<sup>4</sup>: and he himself allows the second, and says, that if any one was timorous in great and dangerous events, apprehending always the worst, rather than hoping the best, he was

<sup>1</sup> Me vero nihil istorum ne juvenem quidem movit unquam, ne nunc senem. Ep. Fam. 9. 26.

<sup>2</sup> Mirifice Cærellia, studio videlicet philosophiæ flagrans, describit a tuis: istos ipsos de Finibus habet—[Ad Att. 13. 21.] Cærelliæ facile satisfeci; nec valde laborare visa est: etsi illa ego certe non laborarem. Ibid. 15. 1. it. 12. 51. 14. 19. Fam. 13. 72. Quintil. 6. 3. Dio, 302.

<sup>3</sup> Utinam moderatius secundas res, et fortius adversas ferre potuisset: namque utræque cum venerant ei, mutari eas non posse rebatur. Asin. Poll. apud Sen. Suasor. 6.

<sup>4</sup> Qua in re, Cicero, vir optime ac fortissime, nihique merito et meo nomine et Reipub. carissime, nimis credere videris spei tuæ. Brut. ad Cic. 4.

ever been born<sup>1</sup>. This is the notion that he inculcates every where of true glory; which is surely one of the noblest principles that can inspire a human breast; implanted by God in our nature, to dignify and exalt it; and always found the strongest in the best and most elevated minds; and to which we owe every thing great and laudable that history has to offer to us, through all the ages of the heathen world. "There is not an instance," says Cicero, "of a man's exerting himself ever with praise and virtue in the dangers of his country, who was not drawn to it by the hopes of glory, and a regard to posterity<sup>2</sup>." "Give me a boy," says Quintilian, "whom praise excites, whom glory warms:" for such a scholar was sure to answer all his hopes, and do credit to his discipline<sup>3</sup>. "Whether posterity will have any respect for me," says Pliny, "I know not; but am sure that I have deserved some from it: I will not say by my wit, for that would be arrogant; but by the zeal, by the pains, by the reverence, which I have always paid to it<sup>4</sup>."

It will not seem strange to observe the wisest of the ancients pushing this principle to so great a length, and considering glory as the amplest reward of a well-spent life<sup>5</sup>, when we reflect, that the greatest part of them had no notion of any other reward or futurity; and even those, who believed a state of happiness to the good, yet entertained it with so much diffidence, that they indulged it rather as a wish than a well-grounded hope; and were glad, therefore, to lay hold on that, which seemed to be within their reach, a futurity of their own creating: an immortality of fame and glory from the applause of posterity. This, by a pleasing fiction, they looked upon as a propagation of life, and an eternity of existence; and had no

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<sup>1</sup> Si quisquam fuit unquam remotus et natura, et magis etiam, ut mihi quidem sentire videor, ratione atque doctrina, ab inani laude et sermonibus vulgi, ego profecto is sum. Ep. Fam. 15. 14.

Est enim gloria—consentiens laus bonorum; incorrupta vox bene judicantium de eccellente virtute: ea virtuti resonat tanquam imago: quæ quia recte factorum plerumque comes est, non est bonis viris repudianda. Tusc. Quæst. 3. 2.

Qui autem bonam famam bonorum, quæ sola vera gloria nominari potest, expetunt, aliis otium quærere debent et voluptates, non sibi. Sudandum est his pro communibus commodis, adeundæ inimicitæ, subeundæ sæpe pro Repub. tempestates. Cum multis audacibus, improbis, non nunquam etiam potentibus, dimicandum. Pro Sext. 66.

Carum esse civem, bene de Repub. mereri, laudari, coli, diligì, gloriosum est—quaro ita gubernare Rempub. ut natum esse te cives tui gaudeant: sine quo nec beatus, nec clarus quisquam esse potest. Philip. 1. 14.

<sup>2</sup> Neque quisquam nostrum in Reipub. periculis, cum laude ac virtute versatur, quin spe posteritatis, fructuque ducatur. Pro C. Rabir. 10.

<sup>3</sup> Mihi detur ille puer, quem laus excitet, quem gloria juvet. Hic erit alendus ambitu—in hoc desidiâ nunquam verebor. Quintil. 1. 3.

<sup>4</sup> —Posteris an aliqua cura nostri, nescio. Nos certe meremur, ut sit aliqua: non dico, ingenio; id enim superbum; sed studio, sed labore, sed reverentia posterum. Plin. Ep.

<sup>5</sup> Sed tamen ex omnibus præmiis virtutis, si esset habenda ratio præmiorum, amplissimum esse præmium gloriam. Essc hanc unam quæ brevitatem vitæ posteritatis memoria consolaretur. Pro Mil. 35.

ever he said any thing glorious of himself, it was not through a fondness of praise, but to repel an accusation<sup>1</sup>: that no man who had been conversant in great affairs, and treated with particular envy, could refute the contumely of an enemy, without touching upon his own praises; and, after all his labours for the common safety, if a just indignation had drawn from him at any time, what might seem to be vain-glorious, it might reasonably be forgiven to him<sup>2</sup>: that when others were silent about him, if he could not then forbear to speak of himself, that, indeed, would be shameful; but when he was injured, accused, exposed to popular odium, he must certainly be allowed to assert his liberty, if they would not suffer him to retain his dignity<sup>3</sup>. This then was the true state of the case, as it is evident from the facts of his history—he had an ardent love of glory, and an eager thirst of praise: was pleased, when living, to hear his acts applauded; yet more still with imagining, that they would ever be celebrated when he was dead: a passion, which, for the reasons already hinted, had always the greatest force on the greatest souls: but it must needs raise our contempt and indignation, to see every conceited pedant, and trifling declaimer, who know little of Cicero's real character, and less still of their own, presuming to call him the vainest of mortals.

But there is no point of light, in which we can view him with more advantage or satisfaction to ourselves, than in the contemplation of his learning, and the surprising extent of his knowledge. This shines so conspicuous in all the monuments which remain of him, that it even lessens the dignity of his general character: while the idea of the scholar absorbs that of the senator; and, by considering him as the greatest writer, we are apt to forget that he was the greatest magistrate also of Rome. We learn our Latin from him at school; our style and sentiments at the college: here the generality take their leave of him; and seldom think of him more, but as an orator, a moralist, or philosopher of antiquity. But it is with characters as with pictures; we cannot judge well of a single part without surveying the whole; since the perfection of each depends on its proportion and relation to the rest; while, in viewing them altogether, they mutually reflect an additional grace upon each

<sup>1</sup> Quis unquam audivit, cum ego de me nisi coactus ac necessario dicerem?—dicendum igitur est id, quod non dicerem nisi coactus: nihil enim unquam de me dixi sublatius asciscendæ laudis causa potius, quam criminis depellendi. Pro Dom. 35, 36.

<sup>2</sup> Potest quisquam vir in rebus magnis cum invidia versatus, satis graviter contra inimici contumeliam, sine sua laude respondere?—

Quamquam si me tantis laboribus pro communi salute perfunctum efferret aliquando ad gloriam in refutandis maledictis improborum hominum animi quidam dolor, quis non ignosceret? De Harusp. resp. 8.

<sup>3</sup> Si, cum cæteri de nobis silent, non etiam nosmet ipsi tacemus, grave. Sed si lædimur, si accusamur, si in invidiam vocamur, profecto concedetis, ut nobis libertatem retinere liceat, si minus liceat dignitatem. Pro Syll. 29.

compositions afford more pleasure than the epistles of men: they touch the heart of the reader, by laying open of the writer. The letters of eminent wits, eminent lawyers, eminent statesmen, are all esteemed in their several kinds; but there never was a collection that excelled so much, in every kind, as Cicero's; for the purity of style, the importance of the matter, or the dignity of the persons concerned in them. We have about a thousand still remaining, all written after he was forty years old; which are but a small part, not only of what he wrote, but of what were actually published after his death, by his servant Tiro. For we see many volumes of them quoted by the ancients, which are utterly lost; as the first book of his letters to Licinius Calvus; the first also to Q. Axius; a second book to his son; a second also to Corn. Nepos; a third book to J. Cæsar; a third to Octavius; and a third also to Pansa; an eighth book to M. Brutus; and a ninth to A. Hirtius. Of all which, excepting a few to J. Cæsar and Brutus, we have nothing more left, than some scattered phrases and sentences, gathered from the citations of the old critics and grammarians<sup>1</sup>. What makes these letters still more estimable is, that he had never designed them for the public, nor kept any copies of them; for the year before his death, when Atticus was making some inquiry about them, he sent him word that he had made no collection; and that Tiro had preserved only about seventy<sup>2</sup>. Here then we may expect to see the genuine man, without disguise or affectation; especially in his letters to Atticus: to whom he talked with the same frankness as to himself; opened the rise and progress of each thought; and never entered into any affair without his particular advice: so that these may be considered as the memoirs of his times; containing the most authentic materials for the history of that age, and laying open the grounds and motives of all the great events that happened in it<sup>3</sup>: and it is the want of attention to them, that makes the generality of writers, on these times, so superficial as well as erroneous: while they choose to transcribe the dry and imperfect relations of the later Greek historians, rather than take the pains, to extract the original account of facts from one, who was a principal actor in them.

In his familiar letters, he affected no particular elegance or

contra Epicurose, de eodem oleo et opera exaravi necio quid ad te, et ante lucem dedi. Deinde cum, somno repetito, simul cum sole expectatus essem. Ad Att. 13. 36. Hæc ad te scripsi appositæ secunda mensæ. [Ibid. 14. 6. 21. 15. 13.] Hoc paululum exaravi ipse in turba matutinae salutationis. Ad Brut. 1. 2. 4.

<sup>1</sup> See the fragments of his letters in the editions of his works.

<sup>2</sup> Mearum Epistolarum nulla est cœmeryx. Sed habet Tiro instar septuaginta. Ad Att. 16. 5.

<sup>3</sup> Quæ qui legat non multum desideret historiam contextam eorum temporum; sic enim omnia de studiis principum, vitis ducum, ac mutationibus Reipub. perscripta sunt, ut nihil in his non appareat. Corn. Nep. vit. Att. 16.

But his letters are not more valuable on any account, than for their being the only monuments of that sort which remain to us from free Rome. They breathe the last words of expiring liberty, a great part of them having been written in the very crisis of its ruin, to rouse up all the virtue that was left in the honest and the brave, to the defence of their country. The advantage which they derive from this circumstance will easily be observed, by comparing them with the epistles of the best and greatest who flourished afterwards in imperial Rome. Pliny's letters are justly admired by men of taste: they shew the scholar, the wit, the fine gentleman; yet we cannot but observe a poverty and barrenness through the whole, that betrays the awe of a master. All his stories and reflections terminate in private life; there is nothing important in politics: no great affairs explained: no account of the motives of public counsels: he had borne all the same offices with Cicero, whom, in all points, he affected to emulate<sup>1</sup>: yet his honours were in effect but nominal; conferred by a superior power, and administered by a superior will; and, with the old titles of consul and proconsul, we want still the statesman, the politician, and the magistrate. In his provincial command, where Cicero governed all things with a supreme authority, and had kings attendant on his orders, Pliny durst not venture to repair a bath, or punish a fugitive slave, or incorporate a company of masons, till he had first consulted and obtained the leave of Trajan<sup>2</sup>.

His historical works are all lost: the Commentaries of his Consulship, in Greek; the history of his own affairs, to his return from exile, in Latin verse, and his Anecdotes: as well as the pieces that he published on natural history; of which Pliny quotes one upon the wonders of nature, and another on perfumes<sup>3</sup>. He was meditating, likewise, a general history of Rome, to which he was frequently urged by his friends, as the only man capable of adding that glory also to his country, of excelling the Greeks in a species of writing, which of all others, was at that time the least cultivated by the Romans<sup>4</sup>. But

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me, is so illustrious, that I am under a necessity of recommending many people to you: but though it is my duty to wish well to all whom I recommend, yet I do not live upon the same foot of friendship with them all," &c. Ibid. 13. 70. 71.

<sup>1</sup> *Lætariis, quod honoribus ejus insistam, quem æmulari in studiis cupio.* Plin. Ep. 4. 8.

<sup>2</sup> *Prusenses, Domine, balneum habent et sordidum et vetus; id itaque indulgentia tua restituere desiderant.* Ep. 1. 10. 34.

*Quorum ego supplicium distuli, ut te conditorem disciplinæ militaris, firmatoremque, consulerem de modo pœnæ.* Ibid. 38.

*Tu, Domine, despice an instituendum putes collegium Fabrorum, duntaxat hominum cl.* Ibid. 42.

<sup>3</sup> Cicero in *Admirandis* posuit, &c. Plin. Hist. Nat. 31. 2. *Quod Admirandis suis inseruit M. Cicero.* Ibid. c. 4. In monumentis M. Ciceronis invenitur; Unguenta gratiora esse, quæ terram, quam quæ crocum sapiant. Ibid. 13. 3. 17. 5.

<sup>4</sup> *Postulatur a te jamdiu, vel flagitatur potius historia: sic enim putant, te illam tractante, effici posse, ut in hoc etiam genere Græciæ nihil cedamus—absent enim historia literis nostris.* De Leg. 1. 2, 3.

and two bad lines picked out by the malice of enemies, and transmitted to posterity, as a specimen of the rest, have served to damn many thousands of good ones. For Plutarch reckons him among the most eminent of the Roman poets; and Pliny the Younger was proud of emulating him in his poetic character<sup>1</sup>: and Quintilian seems to charge the cavils of his censurers to a principle of malignity<sup>2</sup>. But his own verses carry the surest proof of their merit; being written in the best manner of that age in which he lived, and in the style of Lucretius, whose poem he is said to have revised and corrected for its publication, after Lucretius's death<sup>3</sup>. This, however, is certain, that he was the constant friend and generous patron of all the celebrated poets of his time<sup>4</sup>; of Accius, Archias, Chilius, Lucretius, Catullus; who pays his thanks to him in the following lines, for some favour that he had received from him:—

Tully, most eloquent by far  
Of all who have been, or who are,  
Or who in ages still to come  
Shall rise of all the sons of Rome.  
To thee Catullus grateful sends  
His warmest thanks, and recommends  
His humble muse, as much below  
All other poets he, as thou  
All other patrons dost excel,  
In power of words and speaking well<sup>5</sup>.

But poetry was the amusement only, and relief of his other studies: eloquence was his distinguishing talent, his sovereign attribute: to this he devoted all the faculties of his soul, and attained to a degree of perfection in it, that no mortal ever surpassed: so that, as a polite historian observes, Rome had but few orators before him whom it could praise, none whom it could admire<sup>6</sup>. Demosthenes was the pattern by which he formed himself; whom he emulated with such success, as to merit what St. Jerome calls that beautiful elege—Demosthenes

<sup>1</sup> Sed ego verear, ne me non satis deceat, quod decuit M. Tullium. Ep. 1. 5. 3.

<sup>2</sup> In carminibus utinam pepercisset, quæ non desierunt carpere maligni. Quintil. 11. 1.

<sup>3</sup> Euseb. Chronic.

<sup>4</sup> Adjicis M. Tullium mira benignitate poetarum ingenia fovisse. Plin. Ep. 3. 15. Ut ex familiari ejus L. Accio poeta audire sum solitus. [Brut. 197.] Lucretii poemata, ut scribis, lita sunt multis luminibus ingenii, multæ tamen artis. Ad Quint. 2. 11. Vid. Ad Att. 1. 9. 16.

<sup>5</sup> Disertissime Romuli nepotum,  
Quot sunt, quotque fuere, Marce Tulli,  
Quotque post aliis erunt in annis?  
Gratias tibi maximas Catullus  
Agit, pessimus omnium poeta,  
Tanto pessimus omnium poeta  
Quanto tu optimus omnium patronus.—Catull. 47.

<sup>6</sup> At oratio—ita universa sub principe operis sui erupit Tullio; ut delectari ante eum paucissimis, mirari vero neminem possis. Vell. Pat. 1. 17.

he never  
sketches  
best than  
He  
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...the glory of being the first, though  
...of being the only orator<sup>1</sup>. The genius,  
...and manner of them both were much  
...of that great, sublime, and comp  
...which dignified every subject, and gave it all  
...of which it was capable: it was that ro  
...ing, as the ancients call it, where there was nothi  
...undant or deficient; nothing either to be added  
...ed: their perfections were, in all points so transe  
...and yet so similar, that the critics are not agreed  
...side to give the preference: Quintilian, indeed, the m  
...ious of them, has given it, on the whole, to Cicero: b  
...others have thought, Cicero had not all the nerves, t  
...ery, or, as he himself calls it, the thunder of Demosthen  
...he excelled him in the copiousness and elegance of his dictio  
...the variety of his sentiments; and, above all, in all the vir  
...ty of his wit, and smartness of his raillery. Demosthenes h  
...nothing jocose or facetious in him; yet, by attempting som  
...times to jest, shewed that the thing itself did not displease, b  
...did not belong to him: for, as Longinus says, whenever  
...affected to be pleasant, he made himself ridiculous; and if  
...happened to raise a laugh, it was chiefly upon himse  
...Whereas Cicero, from a perpetual fund of wit and ridieu  
...had the power always to please, when he found himself unabl  
...to convince; and could put his judges into good humour, wh  
...he had cause to be afraid of their severity: so that, by t  
...opportunity of a well-timed joke, he is said to have preserv  
...many of his clients from manifest ruin<sup>2</sup>.

Yet, in all this height and fame of his eloquence, there w

tion of oratory consisted in a frugality of words, and in bringing our sentiments into the narrowest compass<sup>1</sup>. The patrons of this taste were M. Brutus, Licinius Calvus, C. Julius Pollio, and Sallust; whom Seneca seems to treat as the author of the obscure, abrupt, and sententious style<sup>2</sup>.

Cicero often ridicules these pretenders to Attic elegance; as judging of eloquence, not by the force of the art, but their own weakness, and resolving to decry what they could not attain, and to admire nothing but what they could imitate<sup>3</sup>: and though their way of speaking, he says, might please the ear of a critic or a scholar, yet it was not of that sublime and sonorous kind, whose end was not only to instruct, but to move an audience: an eloquence, born for the multitude; whose merit was always shewn by its effects, of exciting admiration, and extorting shouts of applause; and on which there never was any difference of judgment between the learned and the populace<sup>4</sup>.

This was the genuine eloquence that prevailed in Rome as long as Cicero lived: his were the only speeches that were relished or admired by the city; while those Attic orators, as they called themselves, were generally despised, and frequently deserted by the audience in the midst of their harangues<sup>5</sup>. But after Cicero's death, and the ruin of the republic, the Roman oratory sunk, of course, with its liberty, and a false species universally prevailed: when, instead of that elate, copious, and flowing eloquence, which launched out freely into every subject, there succeeded a guarded, dry, sententious kind: full of laboured turns and studied points; and proper only for the occasion on which it was employed—the making panegyric and servile compliments to their tyrants. This change of style may be observed in all their writers from Cicero's time to the Younger Pliny, who carried it to its utmost perfection in his celebrated panegyric on the Emperor Trajan: which, as it is justly admired for the elegance of

<sup>1</sup> Mihi falli multum videntur, qui solos esse Atticos credunt, tenues et lucidos et significantes, sed quadam eloquentiæ frugalitate contentos, ac manum semper intra palmum continentes. Quintil. 12. 10.

<sup>2</sup> Sic Sallustio vigente, amputatæ sententiæ, et verba ante expectatum cadentia, et obscura brevitas, fuere pro cultu. L. Sen. Epist. 114.

<sup>3</sup> Itaque nobis monendi sunt ii,—qui aut dici se desiderant Atticos, aut ipsi Attice volunt dicere, ut mirentur Demosthenem maxime—eloquentiamque ipsius viribus, non imbecillitate sua, metiantur. Nunc etiam tantum quisque laudat, quantum se posse sperat imitari. Orat. 248. vid. Tusc. Quæst. 2. 1.

<sup>4</sup> Sed ad Calvum revertamur: qui—metuens ne vitiosum colligeret, etiam verum sanguinem deperdebat. Itaque ejus oratio nimia religione attenuata, doctis et attento audientibus erat illustris; a multitudine autem et a foro, cui nata eloquentia est, devorabatur. Brut. 410.

Itaque nunquam de bono Oratore et non bono doctis hominibus cum populo dissensio fuit, &c. Ibid. 297.

<sup>5</sup> At cum isti Attici dicant, non modo a corona, quod est ipsum miserabile, sed etiam ab Advocatis relinquuntur. Ibid. 417.

the subjects, so his method was not to assert any opinion of his own, but to refute the opinions of others, and attack the opinions in vogue; as the first step towards preparing men for the reception of truth, or what came the nearest to it, probably.<sup>1</sup> While he himself, therefore, professed to know nothing, he used to sift out the several doctrines of all the pretenders to science, and then teaze them with a series of questions so contrived, as to reduce them, by the course of their answers, to an evident absurdity, and the impossibility of defending what they had at first affirmed.<sup>2</sup>

But Plato did not strictly adhere to the method of his master, Socrates: and his followers wholly deserted it: for, instead of the Socratic modesty of affirming nothing, and examining every thing, they turned philosophy, as it were, into an art; and formed a system of opinions, which they delivered to their disciples, as the peculiar tenets of their sect.<sup>3</sup> Plato's nephew, Speusippus, who was left the heir of his school, continued his lectures, as his successors also did, in the Academy, and preserved the name of Academics; whilst Aristotle, the most eminent of Plato's scholars, retired to another Gymnasium, called the Lyceum; where, from a custom which he and his followers observed, of teaching and disputing as they walked in the porticoes of the place, they obtained the name of Peripatetics, or the walking philosophers. These two sects, though differing in name, agreed generally in things, or in all the principal points of their philosophy: they placed the chief happiness of man in virtue, with a competency of external goods; taught the existence of a God, a providence, the immortality of the soul, and a future state of rewards and punishments.<sup>4</sup>

This was the state of the Academic school under five successive masters, who governed it after Plato, Speusippus, Xenocrates, Polemo, Crates, Crantor; till Arcesilas, the sixth, discarded, at once, all the systems of his predecessors, and revived the Socratic way of affirming nothing, doubting of all things, and exposing the vanity of the reigning opinions.<sup>5</sup> He alleged the necessity of making this reformation, from that

<sup>1</sup> E quibus nos id potissimum consecuti sumus, quo Socratem usum arbitrabamur: ut nostram ipsi sententiam tegeremus, errore alios levaremus; et in omni disputatione, quid esset simillimum veri quæreremus. *Tusc. Quæst.* 5. 4. it. 1. 4.

<sup>2</sup> Socrates enim percunctando atque interrogando elicere solebat opiniones eorum, quibuscum disseribat. *De Fin.* 2. 1.

<sup>3</sup> Illam autem Socraticam dubitationem de omnibus rebus, et nulla adfirmatione adhibita consuetudinem disserendi reliquerunt. Ita facta est, quod minime Socrates probabat, ars quædam Philosophiæ, et rerum ordo et descriptio disciplinæ. *Academ.* 1. 4.

<sup>4</sup> Sed item fons erat utrisque, et eadem rerum expetendarum fugiendarumque partitio. [*Academ.* 1. 4. 6. 8.] Peripateticos et Academicos, nominibus differentes, re congruentes. *Ibid.* 2. 5.

<sup>5</sup> Arcesilas primum, ex variis Platonis libris, sermonibusque Socraticis hoc maxime arripuit, nihil esse certi, quod aut sensibus aut animo percipi possit. *De Orat.* 3. 18.

removed from wisdom<sup>1</sup>?" Again: "We do not pretend to say; that there is no such thing as truth; but that all truths have some falsehoods annexed to them, of so near a resemblance and similitude, as to afford no certain note of distinction, whereby to determine our judgment and assent: whence it follows, also of course, that there are many things probable; which, though not perfectly comprehended, yet, on account of their attractive and specious appearance, are sufficient to govern the life of a wise man<sup>2</sup>." In another place, "there is no difference," says he, "between us and those, who pretend to know things—but that they never doubt of the truth of what they maintain; whereas we have many probabilities, which we readily embrace, but dare not affirm. By this we preserve our judgment free and unprejudiced, and are under no necessity of defending what is prescribed and enjoined to us: whereas, in the other sects, men are tied down to certain doctrines, before they are capable of judging what is the best; and, in the most infirm part of life, drawn either by the authority of a friend, or charmed with the first master whom they happen to hear, they form a judgment of things unknown to them; and to whatever school they chance to be driven by the tide, cleave to it as fast as the oyster to the rock<sup>3</sup>."

Thus the Academy held the proper medium between the rigour of the stoic and the indifference of the sceptic; the stoics embraced all their doctrines, as so many fixed and immutable truths, from which it was infamous to depart; and, by making this their point of honour, held all their disciples in an inviolable attachment to them. The sceptics, on the other hand, observed a perfect neutrality towards all opinions; maintaining all of them to be equally uncertain; and that we could not affirm of any thing, that it was this or that; since there

<sup>1</sup> De Offic. 2. 2.

<sup>2</sup> De Nat. Deor. 1. 5.

<sup>3</sup> Academ. 2. 3.—N. B. This sketch of the principles of the Academy, may enable us to decide that famous contest among the critics, about the reading of the following passage in Cicero's treatise on the Nature of the Gods: [l. 1. 1.]—*De qua tam variae sunt doctissimorum hominum, tamque discrepantes sententiae, ut magno argumento esse debeat, causam, id est, principium philosophiae esse, scientiam; [inscientiam;] pruden-terque Academicos a rebus incertis assensionem cohibuisse.* The question is, whether we should read *scientiam* or *inscientiam*: the greatest part of the editions and MSS. give us the first; but Aldus Manutius and Dr. Davies prefer the second; which I take to be the true reading. For Cicero's meaning in this place is, from the dissensions of the learned, on a subject of so great importance, to illustrate a fundamental maxim of his sect, that the natural obscurity of things, and man's consciousness of his ignorance, was the first cause or incitement to the study of philosophy.—Plato had expressed the same sentiment before him, where he says, that to wonder at things was the common affection of a philosopher, and what alone gave rise, or a beginning to philosophy itself: [in Theæt. p. 155. Edit. Serr.] whence Cicero draws this inference, which he frequently inculcates in other parts of his works, that the Academy, therefore, acted prudently, in withholding its assent, and maintaining, that there was no such thing as science, or absolute certainty within the reach of man. If this then be the sense of the passage, as it appears evidently to be, it necessarily requires *inscientiam* to make it consistent.—See the translation of L'Abbe D'Olivet, and his notes on the place, and Edit. Davis. Cantab.

of service to the cause which they have undertaken to defend<sup>1</sup>. In his orations, therefore, where we often meet with the sentences and maxims of philosophy, we cannot always take them for his own, but as topics applied to move his audience, or to add an air of gravity and probability to his speech<sup>2</sup>.

His letters, indeed, to familiar friends, and especially those to Atticus, place the real man before us, and lay open his very heart, yet, in these, some distinction must necessarily be observed; for, in letters of compliment, condolence, or recommendation, or where he is soliciting any point of importance, he adapts his arguments to the occasion: and uses such, as would induce his friend the most readily to grant what he desired. But as his letters, in general, seldom touch upon any questions of philosophy, except slightly and incidentally, so they will afford very little help to us, in the discovery of his philosophical opinions, which are the subject of the present inquiry, and for which we must wholly recur to his philosophical works.

Now the general purpose of these works was to give a history, rather of the ancient philosophy, than any account of his own; and to explain to his fellow-citizens, in their own language, whatever the philosophers of all sects, and in all ages, had taught on every important question, in order to enlarge their minds, and reform their morals; and to employ himself the most usefully to his country, at a time when arms and a superior force had deprived him of the power of serving it in any other way<sup>3</sup>. This he declares in his treatise called *De Finibus*, or on the chief good or ill of man; in that upon the Nature of the Gods; in his *Tusculan Disputations*; and in his book on the *Academic Philosophy*: in all which he sometimes takes upon himself the part of a Stoic; sometimes of an Epicurean; sometimes of the Peripatetic; for the sake of explaining, with more authority, the different doctrines of each sect: and, as he assumes the person of the one, to confute the other; so, in his proper character of an Academic, he sometimes disputes against them all: while the unwary reader, not reflecting on the nature of dialogues, takes Cicero still for the perpetual speaker; and, under that mistake, often quotes

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<sup>1</sup> Quintil. 11. 1.

<sup>2</sup> Though his orations are not always the proper vouchers of his opinions, yet they are the best testimonies that can be alleged for the truth of facts; especially those which were spoken to the senate or the people, where he refers to the acts and characters of persons then living before an audience, that was generally as well acquainted with them as himself; and it is, in such cases, chiefly, that I lay any great stress upon them.

<sup>3</sup> Nam cum otio langueremus, et si esset Reipub. status, ut eam unius consilio atque cura gubernari necesse esset, primum ipsius Reipub. causa philosophiam nostris hominibus explicandam putavi; magni existimans interesse ad decus et ad laudem civitatis, res tam graves, tamque præclaras Latinis etiam litteris contineri. *De Nat. Deor.* 1. 4. it. *Academ.* 1. 5. *Tusc. Quæst.* 1. 1. *De Fin.* 1. 3, 4.

visible world; and declares that person unworthy of the name of man, who can believe all this to have been made by chance, when, with the utmost stretch of human wisdom, we cannot penetrate the depth of that wisdom which contrived it <sup>1</sup>.

He believed also a Divine providence, constantly presiding over the whole system, and extending its care to all the principal members of it: with a peculiar attention to the conduct and actions of men; but leaving the minute and inferior parts to the course of his general laws. This he collected from the nature and attributes of the Deity; his omniscience, omnipresence, and infinite goodness; that could never desert or neglect what he had once produced into being: and declares that without this belief, there could be no such thing as piety or religion in the world <sup>2</sup>.

He held, likewise, the immortality of the soul, and its separate existence after death, in a state of happiness or misery. This he inferred from that ardent thirst of immortality, which was always the most conspicuous in the best and most exalted minds; from which the true specimen of their nature must needs be drawn: from its unmixed and indivisible essence; which had nothing separable or perishable in it: from its wonderful powers and faculties; its principle of self-motion; its memory, invention, wit, comprehension; which were all incompatible with sluggish matter <sup>3</sup>.

The stoics fancied, that the soul was a subtilized, fiery substance, which survived the body after death, and subsisted a long time, yet not eternally; but was to perish at last, in the general conflagration. In which they allowed, as Cicero says, the only thing that was hard to conceive; its separate existence

<sup>1</sup> Nec Deus ipse—alio modo intelligi potest, nisi mens soluta quædam et libera, segregata ab omni concretionem mortali, omnia sentiens et movens, ipsaque prædita motu sempiterno. [Tusc. Quæst. 1. 27.] Sed omnes gentes una lex et sempiterna et immortalis continebit, unusque erit quasi magister, et imperator omnium Deus. Fragm. lib. 3. de Repub.

Ut porro firmissimum hoc adferri videtur, cur Deos esse credamus, quod nulla gens tam fera,—cujus mentem non imbuerit Deorum opinio—omni autem in re consensus omnium gentium lex naturæ putanda est. [Tusc. Quæst. 1. 14.] Hæc igitur et talia innumerable cum cernimus, possumusne dubitare, quin his præsit aliquis vel effector, (si hæc nata sunt, ut Platoni videtur,) vel, (si semper fuerunt, ut Aristoteli placet) moderator tanti operis et muneris? [Ibid. 28.] Id est primum, quod inter omnes, nisi admodum impios, convenit, mihi quidem ex animo exuri non potest, esse Deos. [Nat. Deor. 3. 3.] Esse præstantem aliquam, æternamque naturam, et eam suspiciendam, admirandamque hominum generi, pulchritudo mundi, ordoque rerum cælestium cogit confiteri. [De Divin. 2. 72.] Quæ quanto consilio gerantur, nullo consilio assequi possumus. De Nat. Deor. 2. 38.

<sup>2</sup> De maxima autem re, eodem modo; divina mente atque natura mundum universum atque maximas ejus partes administrari. [De Fin. 4. 5.] Quam vim animum esse dicunt mundi, eandemque esse mentem sapientiamque perfectam; quem Deum appellant, omniumque rerum, quæ sunt ei subjectæ, quasi prudentiam quandam, procurantem cælestia maxime, deinde in terris ea, quæ pertinent ad homines. Academ. 1. 8. Vid. Nat. Deor. 1. 2. 44. 2. 66. 3. 36.

<sup>3</sup> Quod quidem ni ita se haberet, ut animi immortales essent, haud optimi cujusque

they had given many, he should have been persuaded, he says, by their sole authority<sup>1</sup>. Socrates, therefore, as he tells us, declared, in his dying speech, that there were two ways appointed to human souls, at their departure from the body: that those who had been immersed in sensual pleasures and lusts, and had polluted themselves with private vices, or public crimes against their country, took an obscure and devious road, remote from the seat and assembly of the gods; whilst those who had preserved their integrity, and received little or no contagion from the body, from which they had constantly abstracted themselves, and, in the bodies of men, imitated the life of the gods, had an easy ascent lying open before them to those gods, from whom they derived their being<sup>2</sup>.

From what has already been said, the reader will easily imagine what Cicero's opinion must have been concerning the religion of his country: for a mind, enlightened by the noble principles just stated, could not possibly harbour a thought of the truth or divinity of so absurd a worship: and the liberty, which not only he, but all the old writers take, in ridiculing the characters of their gods, and the fictions of their infernal torments<sup>3</sup>, shews, that there was not a man of liberal education, who did not consider it as an engine of state, or political system; contrived for the uses of government, and to keep the people in order: in this light Cicero always commends it, as a wise institution; singularly adapted to the genius of Rome; and constantly inculcates an adherence to its rites, as the duty of all good citizens<sup>4</sup>.

Their religion consisted of two principal branches; the observation of the auspices, and the worship of the gods: the first was instituted by Romulus; the second by his successor, Numa;

<sup>1</sup> Ibid. 21. de Amicit. 4.

<sup>2</sup> Ibid. 30.

<sup>3</sup> Dic quæso, num te illa terrent? triceps apud inferos Cerberus? Cocyti fremitus? transvectio Acherontis?—adeone me delirare censes ut ista credam? [Ibid. l. 5, 6. 21.] Quæ anus tam excors inveniri potest, quæ illa, quæ quondam credebantur, apud inferos portenta extimescat? De Nat. Deor. 2. 2.

<sup>4</sup> Ordinar ab Haruspicina, quam ego Reipub. causa communisque religionis colendam censeo. [De Divin. 2. 12.] Nam et Majorum instituta tueri sacris cæremoniisque retinendis sapientis est. Ibid. 72. De Leg. 2. 12, 13.

N.B. There is a reflection in Polybius, exactly conformable to Cicero's sentiments on this subject. "The greatest advantage," says he, "which the Roman government seems to have had over other states, is the opinion publicly entertained by them about the gods; and that very thing, which is so generally decried by other mortals, sustained the Republic of Rome: I mean superstition. For this was carried by them to such a height, and introduced so effectually, both in the private lives of the citizens, and the public affairs of the city, that one cannot help being surprised at it. But I take it all to have been contrived for the sake of the populace. For if a society could be formed of wise men only, such a scheme would not be necessary: but since the multitude is always giddy, and agitated by illicit desires, wild resentments, violent passions; there was no way left of restraining them, but by the help of such secret terrors and tragical fictions. It was not therefore without great prudence and foresight, that the ancients took care to instil into them these notions of the gods and infernal punishments, which the moderns on the other hand, are now rashly and absurdly endeavouring to extirpate." Polyb. l. 6. p. 497.

ing of each sign might be determined and applied to the event, that was signified by it. This they called artificial divination, in distinction from the natural; which they supposed to flow from an instinct, or native power, implanted in the soul, which it exerted always with the greatest efficacy, when it was the most free and disengaged from the body, as in dreams and madness<sup>1</sup>. But this notion was generally ridiculed by the other philosophers: and of all the college of augurs, there was but one, at this time, who maintained it, Appius Claudius; who was laughed at for his pains by the rest, and called the Pisidian<sup>2</sup>: it occasioned, however, a smart controversy between him and his colleague, Marcellus, who severally published books on each side of the question; wherein Marcellus asserted the whole affair to be the contrivance of statesmen; Appius, on the contrary, that there was a real art and power of divining, subsisting in the augural discipline, and taught by the augural books<sup>3</sup>. Appius dedicated this treatise to Cicero<sup>4</sup>: who, though he preferred Marcellus's notion, yet did not wholly agree with either, but believed, that augury might probably be instituted, at first, upon a persuasion of its divinity; and when, by the improvement of arts, and learning, that opinion was exploded in succeeding ages, yet the thing itself was wisely retained, for the sake of its use to the republic<sup>5</sup>.

But whatever was the origin of the religion of Rome, Cicero's religion was undoubtedly of heavenly extraction; built, as we have seen, on the foundation of a God, a Providence, and immortality. He considered this short period of our life on earth, as a state of trial, or a kind of school; in which we were to improve and prepare ourselves for that eternity of existence, which was provided for us hereafter; that we were placed therefore here by the Creator, not so much to inhabit the earth, as to contemplate the heavens; on which were imprinted, in legible characters, all the duties of that nature, which was given to us. He observed, that this spectacle belonged to no other animal but man; to whom God, for that reason, had given an erect and upright form; with eyes not

<sup>1</sup> Duo sunt enim divinandi genera, quorum alterum artis est, alterum natura—est enim vis et natura quædam, quæ, cum observatis longo tempore significationibus, tum aliquo instinctu, inflatuque divino futura prænunciat. De Div. 1. 6. Vid. it. ibid. 18.

<sup>2</sup> Quem irridebant Collegæ tui, eumque tum Pisidam, tum Soranum Augurem esse dicebant. Ibid. 47.

The Pisidians were a barbarous people of lesser Asia; famous for their superstitious observation of the auspices, or their divination by the flight of birds. De Div. 1. 41, 42.

<sup>3</sup> Sed est in Collegio vestro inter Marcellum et Appium, optimos Augures, magna dissensio:—cum alteri placeat, auspicia ista ad utilitatem Reipub. composita; alteri disciplina vestra quasi divinare prorsus posse videatur. De Leg. 2. 13.

<sup>4</sup> Illo libro Augurali, quem ad me amantissime scriptum, suavissimum misisti. Ep. Fam. 3. 4.

<sup>5</sup> Non enim sumus ii nos Augures, qui avium, reliquorumque signorum observatione futura dicamus: et tamen credo Romulum, qui urbem auspiciato condidit, habuisse opinionem, esse in providendis rebus augurandi scientiam. Errabat multis in rebus Antiquitas, &c. De Div. 2. 33.

"The true law," says he, "is right reason, conformable to the nature of things; constant, eternal, diffused through all; which calls us to duty by commanding, deters us from sin by overruling; which never loses its influence with the good; nor overruled by any with the wicked. This cannot possibly be part; nor can we be absolved nor abrogated in the whole or in the people: nor are we to seek any other by the senate or preter of it, but itself: nor can there be one by the senate or another at Athens; one now, another hereafter; but one eternal, immutable law, comprehends all nations, at all times, under one common Master and Governor of all, God. He is the inventor, propounder, enacter of this law: and whosoever will not obey it, must first renounce himself, and throw off the nature of man: by doing which he will suffer the greatest punishment, though he should escape all the other torments which are commonly believed to be prepared for the wicked<sup>1</sup>."

In another place he tells us, that the study of this law was the only thing which could teach us that most important of all lessons, said to be prescribed by the Pythian oracle, to know ourselves; that is, to know our true nature and rank in the universal system; the relation that we bear to all other beings; and the purposes for which we were sent into the world. "When a man," says he, "has attentively surveyed the heavens, the earth, the sea, and all things in them; observed whence they sprung, and whither they all tend; when and how they are to end; what part is mortal and perishable, what Divine and eternal: when he has almost reached and touched, as it were, the Governor and Ruler of them all, and discovered himself not to be confined to the walls of any certain place, but a citizen of the world, as of the common city; in this magnificent view of things; in this enlarged prospect and knowledge of nature; good gods, how will he learn to know himself! How will he contemn, despise, and set at nought all those things, which the vulgar esteem the most splendid and glorious<sup>2</sup>!"

These were the principles on which Cicero built his religion and morality; which shine, indeed, through all his writings, but were largely and explicitly illustrated by him in his treatises on Government and on Laws; to which he added, afterwards, his Book of Offices, to make the scheme complete: volumes which, as the elder Pliny says to the emperor Titus, ought not only to be read, but to be got by heart<sup>3</sup>. The first

*niis excogitatam, nec Scitum aliquod esse populorum, sed æternum quiddam, quod universum mundum regeret, imperandi, prohibendique sapientia, &c. Ibid. &c.*

<sup>1</sup> *Fragm. lib. 3. de Repub. ex Lactantio.*

<sup>2</sup> *De Leg. l. 23.*

<sup>3</sup> *Quæ volumina ejus ediscenda non modo in manibus habenda quotidie, nosti. Præf. ad Hist. Nat.*

where he is supposed to declare his mind with the greatest frankness<sup>1</sup>. But in all the passages brought to support this objection, where he is imagined to speak of death as the end of all things to man, as they are addressed to friends in distress, by way of consolation, so some commentators take them to mean nothing more than that death is the end of all things here below, and without any further sense of what is done upon earth: yet should they be understood to relate, as perhaps they may, to an utter extinction of our being; it must be observed, that he was writing, in all probability, to Epicureans<sup>2</sup>, and accommodating his arguments to the men; by offering such topics of comfort to them from their own philosophy, as they themselves held to be the most effectual. But if this also should seem precarious, we must remember always that Cicero was an Academic; and though he believed in a future state, was fond of the opinion, and declares himself resolved never to part with it; yet he believed it as probable only, not as certain<sup>3</sup>: and as probability implies some mixture of doubt, and admits the degrees of more and less, so it admits also some variety in the stability of our persuasion: thus, in a melancholy hour, when his spirits were depressed, the same argument would not appear to him with the same force; but doubts and difficulties get the ascendant, and what humoured his present chagrin, find the readiest admission. The passages alleged were all of this kind, written in the season of his dejection, when all things were going wrong with him, in the

<sup>1</sup> Sapissime et legi et audiui, nihil mali esse in morte; in qua si resideat sensus, immortalitas illa potius, quam mors ducenda est: sin sit anissus, nulla videri miseria debeat, quæ non sentiatur. [Ep. Fam. 5. 16.] Ut hoc saltem in maximis malis boni consequamur, ut mortem, quam etiam beati contemnere debeamus, propterea quod nullum sensum esset habitura, nunc sic affecti, non modo contemnere debeamus, sed etiam optare. [Ibid. 21.] Sed hæc consolatio levis; illa gravior, qua te uti spero, ego certe utor: nec enim dum ero, angar ulla re, cum omni vacem culpa; et si non ero, sensu omnino carebo. [Ibid. 6. 3.] Deinde—si jam vocer ad exitum vitæ, non ab ea Rep. avellar, qua carendum esse doleam, præsertim cum id sine ullo sensu futurum sit. [Ibid. 4.] Una ratio videtur, quicquid evenerit, ferre moderate, præsertim cum omnium rerum mors sit extremum. [Ibid. 21.] Sed de illa—fors viderit, aut si quis est, qui curet Deus. Ad Att. 4. 10.

N.B. By this illustration of Cicero's moral principles, we learn the force of that rule, which he frequently prescribes, of following nature, as the sure and unerring guide of life: [De Leg. 1. 6. de Senect. 2. de Amicit. 5.] by which he means that law or will of God, displayed in the nature of things; not, as some are apt to interpret him, the dictates of our unruly passions, which are falsely called natural; being the motions only of vitiated appetites, and the creatures of habit, not of nature: the gratification of which, as he tells us, is more contrary to nature, and consequently more to be avoided than poverty, pain, or even death itself. [Offic. 3. 5, 6.]

<sup>2</sup> This will appear to be a very probable supposition, when we recollect that the generality of the Roman nobility, and of Cicero's friends, were of the Epicurean sect; and particularly the family of Torquatus, to whom two of these very letters are addressed. Accurate quondam a L. Torquato, homine omni doctrina erudito, defensa est Epicuri sententia de voluptate, a meque ei responsum. De Fin. 1. 5.

<sup>3</sup> Quod si in hoc erro, quod animos hominum immortales esse credam, lubenter erro. Nec mihi hunc errorem, quo delector, dum vivo, extorqueri volo. Cato 23. Geram tibi morem, et ea, quæ vis, ut potero, explicabo: nec tamen quasi Pythius Apollo, certa ut sint et fixa quæ dixerò: sed ut homunculus unus e multis, probabilis conjectura sequens. Tusc. Quæst. 1. 9.

city<sup>1</sup>; so it was his constant aim to unite the different orders of the state into one common interest, and to inspire them with a mutual confidence in each other, so as to balance the supremacy of the people, by the authority of the senate; that the one should enact, but the other advise; the one have the last resort, the other the chief influence<sup>2</sup>. This was the old constitution of Rome, by which it had raised itself to all its grandeur, whilst all its misfortunes were owing to the contrary principle—of distrust and dissension between these two rival powers: it was the great object, therefore, of his policy, to throw the ascendant, in all affairs, into the hands of the senate and the magistrates, as far as it was consistent with the rights and liberties of the people; which will always be the general view of the wise and honest in all popular governments.

This was the principle which he espoused from the beginning, and pursued to the end of his life: and though, in some passages of his history, he may be thought, perhaps, to have deviated from it, yet, upon an impartial review of the case, we shall find that his end was always the same, though he had changed his measures of pursuing it when compelled to it by the violence of the times, and an overruling force and a necessary regard to his own safety; so that he might say, with great truth, what an Athenian orator once said, in excuse of his inconstancy, that he had acted, indeed, on some occasions, contrary to himself, but never to the republic<sup>3</sup>: and here also his Academic philosophy seems to have shewed its superior use in practical, as well as in speculative life, by indulging that liberty of acting which nature and reason require, and when the times and things themselves are changed, allowing a change of conduct, and a recourse to new means, for the attainment of the same end.

The three sects, which, at this time, chiefly engrossed the philosophical part of Rome, were the Stoic, the Epicurean, and the Academic; and the chief ornaments of each were, Cato, Atticus, and Cicero, who lived together in strict friendship, and a mutual esteem of each other's virtue; but the different behaviour of these three will shew, by fact and example, the different merit of their several principles, and which of them was the best adapted to promote the good of society.

The stoics were the bigots or enthusiasts in philosophy, who held none to be truly wise or good but themselves; placed

<sup>1</sup> Quæ harmonia a Musicis dicitur in cantu, ea est in civitate concordia, arctissimum atque optimum omni in Repub. vinculum incolumitatis, &c. Ibid. l. 2.

<sup>2</sup> Nam—si Senatus dominus sit publici consilii—possit, ex temperatione juris, cum potestas in populo, auctoritas in Senatu sit, teneri ille moderatus et concors civitatis status. De Leg. 3. 12. it. Ibid. 17.

<sup>3</sup> Plut. de Demade, in vit. Demost. p. 851. Edit. Par.

pose, in the midst of rural shades and pleasant gardens. This was the scheme that Atticus followed: he had all the talents that could qualify a man to be useful to society, great parts, learning, judgment, candour, benevolence, generosity, the same love of his country, and the same sentiments in politics with Cicero<sup>1</sup>, whom he was always advising, and urging to act, yet determined never to act himself, or never, at least, so far as to disturb his ease, or endanger his safety. For though he was so strictly united with Cicero, and valued him above all men, yet he managed an interest all the while with the opposite faction, and a friendship even with his mortal enemies, Clodius and Antony; that he might secure against all events the grand point, which he had in view, the peace and tranquillity of his life. Thus two excellent men, by their mistaken notions of virtue, drawn from the principles of their philosophy, were made useless in a manner to their country; each in a different extreme of life; the one always acting and exposing himself to dangers, without the prospect of doing good; the other, without attempting to do any, resolving never to act at all.

Cicero chose the middle way between the obstinacy of Cato, and the indolence of Atticus: he preferred always the readiest road to what was right, if it lay open to him; if not, took the next, that seemed likely to bring him to the same end; and in politics as in morality, when he could not arrive at the true, contented himself with the probable. He often compares the statesman to the pilot; whose art consists in managing every turn of the winds, and applying even the most perverse to the progress of his voyage; so as by changing his course, and enlarging his circuit of sailing, to arrive with safety, though later, at his destined port<sup>2</sup>: he mentions, likewise, an observation, which long experience had confirmed to him, that none of the popular and ambitious, who aspired to extraordinary commands, and to be leaders in the republic, ever chose to obtain their ends from the people, till they had first been repulsed by the senate<sup>3</sup>. This was verified by all their civil dissensions, from the Gracchi down to Cæsar; so that when he saw men of this spirit at the head of the government; who, by the splendour of their lives and actions, had acquired an ascen-

<sup>1</sup> In *Repub.* ita est versatus, ut semper optimarum partium et esset, et existimaretur; neque tamen se civilibus fluctibus committeret. *Corn. Nep. vit. Att.* 6.

<sup>2</sup> Nunquam enim præstantibus in *Repub.* gubernanda viris laudata est in una sententia perpetua permansio: sed ut in navigando tempestati obsequi artis est, etiamsi portum tenere non queas: cum vero id possis mutata velificatione assequi, stultum est cum tenere cursum cum periculo quem ceperis, potius quam, eo commutato, quo velis tandem pervenire, &c. *Ep. Fam.* 1. 9.

<sup>3</sup> Neminem unquam est hic ordo amplexus honoribus et beneficiis suis, qui ullam dignitatem præstabiliorem ea, quam per vos esset adeptus, putarit. Nemo unquam hic potuit esse princeps, qui maluerit esse popularis. *De provin. Consular.* 16. *it. Philip.* 5. 18.

called untimely, but was the proper end of such a life; which must have been rendered less glorious, if it had owed its preservation to Antony. It was, therefore, what he not only expected, but, in the circumstances to which he was reduced, what he seems even to have wished<sup>1</sup>. For he, who before had been timid in dangers, and desponding in distress, yet, from the time of Cæsar's death, roused by the desperate state of the republic<sup>2</sup>, assumed the fortitude of a hero; discarded all fear; despised all danger; and when he could not free his country from a tyranny, provoked the tyrants to take that life, which he no longer cared to preserve. Thus, like a great actor on the stage, he reserved himself, as it were, for the last act: and after he had played his part with dignity, resolved to finish it with glory.

The character of his son Marcus has been delivered down to us in a very disadvantageous light; for he is represented, generally, both by the ancients and moderns, as stupid and vicious, and a proverb even of degeneracy<sup>3</sup>; yet when we come to inquire into the real state of the fact, we shall find but little ground for so scandalous a tradition.

In his early youth, while he continued under the eye and discipline of his father, he gave all imaginable proofs both of an excellent temper and genius: was modest, tractable, dutiful; diligent in his studies, and expert in his exercises: so that, in the Pharsalic war, at the age of seventeen, he acquired a great reputation in Pompey's camp, by his dexterity of riding, throwing the javelin, and all the other accomplishments of a young soldier<sup>4</sup>. Not long after Pompey's death he was sent to Athens; to spend a few years in the study of philosophy and polite letters, under Cratippus, the most celebrated philosopher of that time; for whom Cicero afterwards procured the freedom of Rome<sup>5</sup>. Here, indeed, upon his first sally into the world, he was guilty of some irregularity of conduct, and extravagance of expense, that made his father uneasy; into which he was supposed to have been drawn by Gorgias, his master of rhetoric, a lover of wine and pleasure; whom Cicero, for that reason, expostulated with severely by letter, and discharged from his attendance upon him. But the young man was soon made sensible of his folly, and recalled to his duty, by the re-

<sup>1</sup> Nullum locum prætermitto monendi, agendi, providendi; hoc denique animo sum, ut si in hac cura atque administratione, vita mihi ponenda sit, præclare actum mecum putem. Ep. Fam. 9. 24.

<sup>2</sup> Sed plane animus, qui dubiis rebus forsitan fuerit infirmior, desperatis, confirmatus est multum. Ibid. 5. 21.

<sup>3</sup> Ciceronem filium quæ res Consulem fecit, nisi pater? Senec. de Benef. 4. 30. Nam virtutes omnes aberant; stupor et vitia aderant. Lipsii Not. ad locum.

<sup>4</sup> Quo in bello cum te Pompeius alæ alteri præfecisset, magnam laudem et a summo iro, et ab exercitu consequere, equitando, jaculando, omni militari labore tolerando. Offic. 2. 13.

<sup>5</sup> Plut. in vit. Cic.

in the empire, ~~They~~, they came at last on the forty-sixth day after they left you. Their arrival was extremely agreeable to me: for my father's most indulgent and affectionate letter gave me an exceeding joy, which was still highly increased by the receipt also of your's: so that instead of being sorry for my late omission of writing, I was rather pleased that my ~~late~~ afforded me so particular a proof of your humanity. It was a great pleasure, therefore, to me, that you accept my letter readily. I do not doubt, my dearest Tiro, but that your letters, which are now brought of me, give you a real pleasure. It shall be my care and endeavour, that this time of me shall every day come more and more convenient to you; and, since you promise to be the trumpeter of my success, you may venture to do it with assurance; for the reproaches of my youth have mortified me so sensibly, that my ears not only abhor the facts themselves, but my ears even endure the mention of them. I am perfectly satisfied that, in all this regret and solicitude, you have borne a share with me; nor is it to be wondered at; for you wish me all success, for my sake, you are engaged to do it for your own; since it was always my resolution to have you the partner of every good that may befall me. My late absence before, therefore, been the occasion of sorrow to me, it shall now be my business to double your joy on my return. You must know that I live in the utmost intimacy with Cratippus, and like a son, rather than a scholar; for I not only hear his lectures with pleasure, but am infinitely delighted in his conversation. I spend whole days with him, and frequently also a part of the night; for I prevail with him, as often as I can, to sup with me; and in our familiar chat, as we sit at table, the night steals upon us, without thinking of it, until he lays aside the severity of his philosophy, and jokes amongst us with all the good humour imaginable. Contrive, therefore, to come to us as soon as possible, and see this agreeable and excellent man. For what need I tell you of Brutus? whom I never part with out of my sight. His life is regular and exemplary, and his company the most entertaining: he has the art of introducing questions of literature into conversation, and seasoning philosophy with mirth. I have hired a lodging for him in the next house to me, and support his poverty, as well as I am able, out of my narrow income. I have begun also to declaim in Greek, under Cassius, but choose to exercise myself in Latin with Brutus. I live, likewise, in great familiarity, and the perpetual company of those, whom Cratippus brought with him from Mitylene, who are men of learning, and highly esteemed by him. Epicrates, also, the leading man at Athens, and Leonidas, spend much of their

in the empire. This was the last refuge of the poor republicans, where young Cicero was received again with particular honours, and continued fighting still in the defence of his country's liberty; till Pompey, by a treaty of peace with the triumvirate, obtained, as one of the conditions of it, the pardon and restoration of all the proscribed and exiled Romans, who were then in arms with him<sup>1</sup>.

Cicero, therefore, took his leave of Pompey, and returned to Rome with the rest of his party, where he lived for some time in the condition of a private nobleman, remote from affairs and the court of the emperor; partly through the envy of the times, averse to his name and principles; partly through choice, and his old zeal for the republican cause, which he retained still to the last. In this uneasy state, where he had nothing to rouse his virtue, or excite his ambition, it is not strange that he sunk into a life of indolence and pleasure, and the intemperate love of wine, which began to be the fashionable vice of this age, from the example of Antony, who had lately published a volume on the triumphs of his drinking. Young Cicero is said to have practised it likewise to great excess, and to have been famous for the quantity that he used to swallow at a draught: "As if he had resolved," says Pliny, "to deprive Antony, the murderer of his father, of the glory of being the first drunkard of the empire<sup>2</sup>."

Augustus, however, paid him the compliment, in the mean while, to make him a priest, or augur<sup>3</sup>, as well as one of those magistrates who presided over the coinage of the public money; in regard to which there is a medal still extant, with the name of Cicero on the one side, and Appius Claudius on the other, who was one of his colleagues in this office<sup>4</sup>. But upon the last breach with Antony, Augustus no sooner became the sole master of Rome, than he took him for his partner in the consulship; so that his letters, which brought the news of the

<sup>1</sup> App. p. 619. 713.

<sup>2</sup> Nimirum hanc gloriam auferre Cicero voluit interfectori patris sui, Antonio. Is enim ante eum avidissime apprehenderat hanc palmam; edito etiam volumine de sua ebrietate. Plin. Hist. Nat. 14. 22.

<sup>3</sup> App. p. 619.

<sup>4</sup> Vid. And. Morell. Thesaur. Numism. inter Numm. Consul. Goltzii. Tab. 33, 4.

These superintendants of the public coinage were called *Treviri* or *Triumviri Monetales*, and in medals and old inscriptions are described thus: III. VIR. A. A. A. F. F. that is, Auro, Argento, Æro Flando, Feriundo. Their number had always been three, till J. Cæsar, as it appears from several medals, enlarged it to four: whence, in the coin of Cicero, just mentioned, we find him called IIII. VIR. There was another magistrate also, of lower rank, at Rome, called *Treviri Capitales*, who tried and judged all capital crimes among foreigners and slaves, or even citizens of inferior condition: in allusion to which Cicero has a pleasant joke in one of his letters to Trebatius, when he was attending Cæsar in his wars against the *Treviri*, one of the most fierce and warlike nations of Gaul:—"I admonish you," says he, "to keep out of the way of those *Treviri*; they are of the capital kind, I hear: I wish, rather, that they were the coiners of gold and silver." Ep. Fam. 7. 13.

of wine and passion, he threw a cup at the head of Agrippa; who, next to Augustus, bore the chief sway in Rome<sup>1</sup>. He was provoked to it, probably, by some dispute in politics, or insult on the late champions, and vanquished cause of the republic. At another time, during his government of Asia, one Cestius, who was afterwards prætor, a flatterer of the times, and a reviler of his father, having the assurance to come one day to his table, Cicero, after he had inquired his name, and understood that it was the man who used to insult the memory of his father, and declared that he knew nothing of polite letters, ordered him to be taken away, and publicly whipped<sup>2</sup>.

His nature seems to have been gay, frank, and generous; peculiarly turned to arms and martial glory; to which, by the unhappy fate of his country, he had been trained very young; and at an age that is commonly dedicated to the arts of peace and studies of learning, had served, with much honour to himself, in three successive wars, the most considerable in all history—of Pharsalia, Philippi, and Sicily. If his life, therefore, did not correspond with the splendour of his father's, it seems chargeable to his misfortune rather than his fault; and to the miserable state of the times, which allowed no room for the attainment of his father's honours, or the imitation of his virtues; but if he had lived in better times, and a free republic, though he would not have been so eminent a scholar, or orator, or statesman, as his father, yet he would have excelled him probably, in that character, which conferred a more substantial power and dazzling glory, the fame of a brave and accomplished general.

The characters of Q. Cicero, the brother, of his son Quintus, and of Atticus, have been so frequently touched in the course of this history, that there is but little occasion to add any thing more about them. The two first, as we have already said, upon the news of their being proscribed, took their leave of Cicero in his flight towards the sea, and returned to Rome, in order to furnish themselves with money and other necessities for a voyage to Macedonia. They hoped to have executed this before the proscription could take effect, or to lie concealed, at least for a short time, in the city, without the danger of a discovery: but the diligence of Antony's emissaries, and the particular instructions that they had received to make sure of the Ciceros, eluded all their caution and hopes of concealment. The son was found out the first; who is said to have been more solicitous for the preservation of his father, than to

<sup>1</sup> Marcoque Agrippæ a temulento scyphum impactum. Plin. Hist. Nat. 14. 22.

<sup>2</sup> M. Senec. Suasor. 6.

lest, in that revolution of affairs, and extinction of the public liberty, they should ever be produced to his hurt, or the diminution of his credit with their new masters.

But his interest with the reigning powers was soon established on a more solid foundation than that of his personal merit, by the marriage of his only daughter with M. Agrippa: which was first proposed and brought about by Antony. This introduced him to the friendship and familiarity of Augustus, whose minister and favourite Agrippa was; and to whom he himself became afterwards nearly allied, by the marriage of his grand-daughter with his successor Tiberius<sup>1</sup>. Thus he added dignity to his quiet; and lived to a good old age, in the very manner in which he wished, happy and honourable; and remote from all trouble or the apprehension of danger. But that he still lives in the fame and memory of ages, is entirely owing to the circumstance of his having been Cicero's friend; for this, after all, was the chief honour of his life: and as Seneca truly observed, it was the epistles of Cicero which preserved him from oblivion; and neither his son Agrippa, nor grandson Tiberius, nor great grandson Drusus, would have been of any service to him, if Cicero's name, by drawing Atticus's along with it, had not given him an immortality<sup>2</sup>.

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<sup>1</sup> Atque harum nuptiarum, non enim est celandum, conciliator fuit Antonius. [Ibid. 12.] Nata est autem Attico neptis ex Agrippa. Hanc Cæsar vix anniculam, Tiberio Claudio Neroni, Drusilla nato, privigno suo despondit. Quæ conjunctio necessitudinem eorum sanxit. Ibid. 19.

<sup>2</sup> Nomen Attici perire Ciceronis epistolæ non sinunt. Nihil illi profuisset gener Agrippa et Tiberius progener, et Drusus pronepos: inter tam magna nomina tacetur, nisi Cicero illum applicuisset. Senec. Ep. 21.

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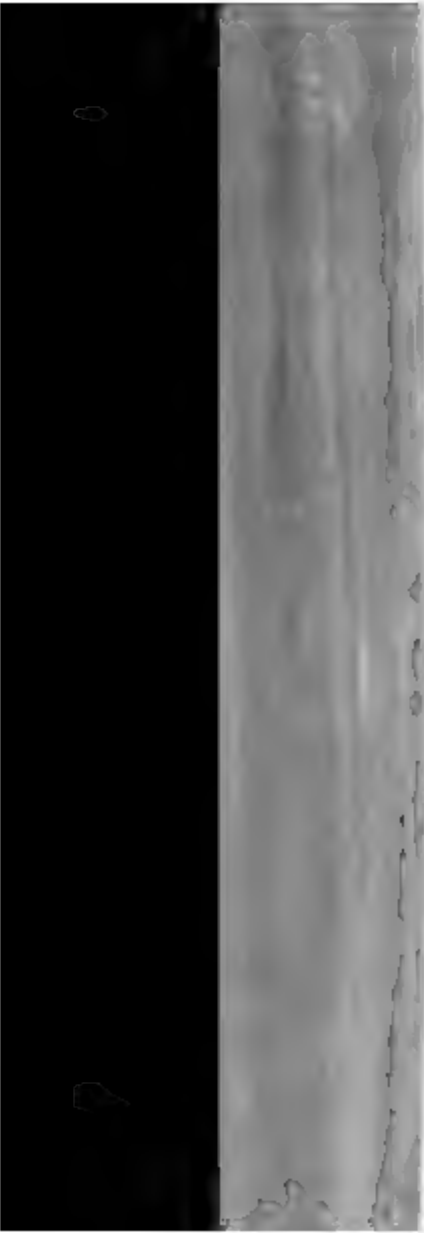
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